

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16669 of 2021**

Arising Out of PS. Case No.-66 Year-2019 Thana- SAHAJITPUR District- Saran

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MITHUN PRATAP SINGH @ MITHUN SINGH @ KATIMAN SINGH @
MITHUN PRASAD @ KARIMAN SINGH S/O RAMESHWAR SINGH R/o
village- Najiba, P.S.- Sahajitpur, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. P.K. Shahi, Sr. Advocate
Mr. Udai Shankar Singh, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-09-2021 Heard learned counsel for the petitioner and learned APP
for the State.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of eight weeks.

The petitioner seeks bail in connection with S.Tr. No.116
of 2020 arising out of Sahajitpur P.S. case No.66 of 2019 registered
under Sections 147, 148, 149, 307 and 302 of I.P.C.

The earlier bail application of the petitioner was rejected
vide Annexure 1 to the present application taking into account that
the petitioner happened to be one of the assailants.

A supplementary affidavit has been filed on behalf of the
petitioner stating that out of eight prosecution witnesses, two
prosecution witnesses have already been examined i.e. two eye
witnesses. So far P.W.1 is concerned, in his examination in chief he



has made no allegation in respect of assault made by the petitioner upon the deceased. So far P.W.2 is concerned, general and omnibus allegation has been made.

It is submitted on behalf of the petitioner that there is contradiction in the statements of the said eye witnesses and the statement of the informant in the present case. The petitioner is in custody since 08.06.2019. There is no chance of the trial being concluded in near future.

Considering the facts and circumstances of the case, the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IX, Saran at Chapra in connection with S.Tr. No.116 of 2020 arising out of Sahajitpur P.S. case No.66 of 2019.

The petitioner shall be present in the trial court on each and every date. If the petitioner does not appear on two consecutive dates in the trial court, the trial court itself is at liberty to cancel the bail bond of the petitioner.

(Sudhir Singh, J)

Narendra/-

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