

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16473 of 2021

Arising Out of PS. Case No.-40 Year-2019 Thana- KASMA District- Aurangabad

SANISH KUMAR Son of Nand Kishore Singh Resident of Village -
Bakashibigha, P.S.- Kasma, Distt.- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Adv.

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 25-08-2021 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with S.T.
No. 374 of 2016/60 of 2019, CIS No. 374 of 2019 arising out
of Kasma P.S. Case No. 40 of 2019 for the offence under
Sections 304(B)/34 of the Indian Penal Code.

Earlier the prayer for bail of this petitioner had
been rejected by this Court vide order dated 05.06.2020
passed in Cr. Misc. No. 11001 of 2020.

Learned counsel for the petitioner submits that
petitioner is rotting in judicial custody since 24.06.2019 i.e.
more than two years and there is no substantial progress in
the trial.



Earlier a report was called for from the court below regarding status of the trial which has been received. Perusal of the report shows that the out of nine witnesses, only three witnesses are yet to be examined. Moreover, the report received from the court below sufficiently shows that trial is in progress and close to its conclusion.

Learned A.P.P. for the State has opposed the prayer for bail and submitted that earlier the prayer for bail of this petitioner has been rejected on merits and now no fresh ground is made out for reconsideration of the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

(Arvind Srivastava, J)

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