

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44614 of 2021

Arising Out of PS. Case No.-160 Year-2019 Thana- KHARHAGPUR District- Munger

1. BHARAT SINGH Son of Naresh Singh Resident of Village - Manjh Gaun, P.S.- Kharagpur, Dist.- Munger.
2. Raja Singh @ Raja Kumar @ Raj Kumar Son of Bharat Singh Resident of Village - Manjh Gaun, P.S.- Kharagpur, Dist.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv.
Mr. Sanjiv Kumar Singh, Adv.
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 29-09-2021 Heard Mr. Yogesh Chandra Verma, learned senior counsel for the petitioners and Mr. Satyendra Narayan Singh, learned Additional Public Prosecutor for the State.

Petitioners renew their prayer for bail in connection with Kharagpur PS Case No. 160/2019 registered for the offence punishable under Sections 341, 323, 324, 307, 302, 504, 34 of the IPC inasmuch as earlier bail application of the petitioners was rejected *vide* order dated 01.07.2020 passed in Cr. Misc No. 669/2020 (Annexure-1) with liberty to renew their prayer for bail after completion of one year, if the trial is not concluded.

The allegation against the petitioners, as per the First Information Report, is that the petitioners along with other



co-accused persons, arrived at the house of the informant and assaulted her husband with *Lathi*, as a result of which the husband of the informant died during course of treatment.

Learned senior counsel for the petitioners submits that allegation against the petitioners is general and omnibus in nature inasmuch as according to the First Information Report, four persons, allegedly, assaulted the husband of the informant by means of *Lathi* but in the postmortem report only two injuries have been found on the head of the deceased. He further submits that both the parties are agnates and the incident has taken place on a trivial issue that the cattle of the informant entered into the premises of the co-accused, Naresh Singh for grazing.

Learned counsel further submits that petitioners are in custody since 07.06.2019.

This Court *vide* its order dated 25.08.2021 had called for a report from learned Sessions Judge, Munger regarding stage of trial and in pursuance thereof, the said report has been received which discloses that charge has been framed against four accused persons and due to pandemic of Covid-19, no witness has been examined till date. The report further discloses one year estimated time for conclusion of the trial, if the court



functions in physical mode.

Regard being had to the submissions made by the parties and taking into consideration the material on record and the fact that the petitioners are in custody since 07.06.2019, trial is not likely to be concluded in near future due to pandemic of COVID-19 and this is the second attempt for bail on behalf of petitioners, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Munger in connection with Kharagpur PS Case No. 160/2019 (Sessions Trial No. 241/2019).

(Anil Kumar Sinha, J)

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