

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56273 of 2021

Arising Out of PS. Case No.-144 Year-2020 Thana- GORAUL District- Vaishali

JITENDRA KUMAR S/o LATE SURESH RAI R/o VILLAGE AND P.O-
PEROI, P.S.- GORAUL, DISTRICT-VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey, Adv.

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 27-10-2021 Heard Mr. Upendra Kumar Chaubey, learned counsel
for the petitioner and Mr. Bal Mukund Prasad Sinha, learned
Additional Public Prosecutor for the State.

Petitioner renews his prayer for bail in connection
with Goraul PS Case No. 144/2020 registered for the offence
punishable under Sections 147, 148, 149, 302, 447, 448, 342,
323, 324 IPC Act inasmuch as earlier bail application of the
petitioner was rejected *vide* order dated 23.02.2021 passed in Cr.
Misc No. 38090/2020 (Annexure-2) with liberty to renew his
prayer for bail after five months, if the trial does not record any
progress.

The allegation against the petitioner as, per the First
Information Report, is that he along with other accused persons
assaulted brutally the son of the informant by means of *Lathi*,



Danda, due to which, he died during course of his treatment.

Learned counsel for the petitioner submits that ten persons named in the FIR along with 12 unknown persons, allegedly, assaulted the son of the informant by means of *Lathi* and *Danda* and the allegation against the petitioner is that he assaulted the son of the informant on his head.

Learned counsel next submits that while rejecting the earlier bail application, this Court had granted liberty to the petitioner to renew his prayer for bail after five months, if the trial does not record any progress.

This Court *vide* its order dated 29.09.2021 had called for a report from Additional Sessions Judge-VII, Vaishali at Hajipur, regarding stage of trial and in pursuance thereof, the report *vide* letter No. 93/2021 dated 04.10.2021 has been received disclosing therein that out of seven charge-sheet witnesses, only one witness has been examined and six witnesses are yet to be examined and cross-examined.

Regard being had to the submissions made by the parties and taking into consideration the material on record and the fact that the trial is not likely to be concluded in near future due to pandemic of COVID-19, charges against the accused persons have been framed and this is the second attempt for bail



on behalf of petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, JITENDRA KUMAR be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIIth, Vaishali at Hajipur in connection with S.T. No. 211/2020 arising out of Goraul PS Case No. 144/2020.

(Anil Kumar Sinha, J)

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