

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57546 of 2021**

Arising Out of PS. Case No.-511 Year-2019 Thana- DARBHANGA SADAR District-
Darbhanga

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RITAN KUMAR SINGH @ RITAN KUMAR S/o Basant Kumar Singh R/o
village- Harnichak, P.S.- Beur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 17-11-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
T.R. 783 of 2020, arising out of Sadar (Mabbi O.P.) Police
Station Case No. 511 of 2019, registered for the offences
punishable under Sections 394/411/ 307/326/34 of the Indian
Penal Code and Sections 25(1-b)/A/26/27/35 of the Arms Act.

This is the second attempt on behalf of the petitioner
for grant of regular bail. Earlier, the prayer for regular bail of the
petitioner was rejected by this Court, vide order, dated
13.10.2020, passed in Criminal Misc. No. 26460 of 2020, giving
liberty to the petitioner to renew his prayer for bail after nine
months from the date of the order, if the trial does not show any



progress.

The allegation, as per the First Information Report, is that when the informant was going to his shop, his Motorcycle was intercepted by four persons, riding on two motorcycles and one of the accused persons snatched the bag of the informant and fired upon him, due to which, he got firearm injury below his right waist. The petitioner along with one co-accused person was arrested by the police on the spot and loaded pistol has been recovered from the possession of the petitioner.

Learned Counsel for the petitioner submits that the petitioner has renewed his prayer for bail after about eleven months, as observed by this Court in the order dated 13.10.2020. He further submits that the petitioner is in custody since 03.12.2019. He next submits that out of ten chargesheeted witnesses, only one witness has been examined and the trial has not progressed satisfactorily.

This Court, vide order, dated 06.10.2021, had called for a report from the learned Court below regarding the stage of the case and in pursuance of the said order, a report has been submitted by learned Judicial Magistrate, 1st Class, Darbhanga and from perusal of the same, it appears that the submission made by learned Counsel for the petitioner is correct and only



one witness has been examined out of ten chargesheeted witnesses.

After having heard learned Counsel for the parties and taking into consideration the materials available on record and fact that the petitioner has remained in custody for about two years and the trial is not likely to be concluded in near future, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, after framing of charge, upon furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Darbhanga, in connection with T.R. 783 of 2020, arising out of Sadar (Mabbi O.P.) Police Station Case No. 511 of 2019.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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