

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64081 of 2021

Arising Out of PS. Case No.-82 Year-2020 Thana- DIGHA District- Patna

SANTOSH KUMAR Son of Rameshwar Prasad Resident of Village -
Makhdumpur, Gate No. 90, P.S. - Digha, P.O. - Digha Ghat, District - Patna,
PIN Code - 800011 (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shri Prakash Srivastava Ms. Anu Priyadarshi Ms. Apoorva Jyoti
For the State	:	Mr.Ashok Kumar Singh
For the informant	:	Mr. Baxi S.R.P. Sinha, Sr. Adv. Ms. Nagma Shamim

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 22-12-2021 Heard learned Counsel for the petitioner, learned

Senior Counsel for the informant and learned Additional Public

Prosecutor for the State.

The petitioner seeks regular bail in connection with

Digha Police Station Case No. 82 of 2020, registered for the

offences punishable under Sections 302/34 of the Indian Penal

Code and Section 27 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

06.10.2020 passed in Criminal Misc. No. 20932 of 2020, giving

liberty to the petitioner to renew his prayer for bail after one



year from the date of the order, if the trial does not show any progress.

The allegation, as per the First Information Report, is that the informant's son was going to drop the children in school in the morning and when he was returning on his motorcycle some unknown persons fired upon him due to which he died in the hospital.

This Court, vide order, dated 17.11.2021, 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 Sub Divisional Judicial Magistrate, Patna, and from perusal of the same, it would be evident that the trial is likely to be concluded within six months after appearance of the accused Jugnu Kumar.

After having heard learned Counsel for the parties and taking into consideration the fact that the earlier bail application of the petitioner was dismissed on its own merits and as per the report of the learned Court below, the estimated time for completion of the trial is six months after appearance of the accused Jugnu Kumar, I am not inclined to grant regular bail to the petitioner.

This application is, accordingly, dismissed.



However, the petitioner will be at liberty to renew his prayer for bail after six months from today, if the trial does not show any progress.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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