

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68822 of 2021

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

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SHUSHIL KUMAR @ RAJA PRASHAD Son of Shiv Jee Rai Resident of
Village - Piroi, P.S.- Goraul, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Anil Kumar
For the State	:	Ms.Madhuri Lata
For the informant	:	Mr. Shakil Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-12-2021 Heard learned Counsel for the petitioner, learned

Counsel for the informant and learned Additional Public

Prosecutor for the State.

The petitioner seeks regular bail in connection with
Sessions Trial No. 211 of 2020, arising out of Goraul Police
Station Case No. 144 of 2020, registered for the offences
punishable under Sections 147/148/149/302/447/448/342/
323/324 of the Indian Penal Code.

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
08.01.2021, passed in Criminal Misc. No. 30054 of 2020, giving
liberty to the petitioner to renew his prayer for bail after six



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 the petitioner, along with other co-accused persons, assaulted the son of the informant by means of lathi and danda, due to which he died.

Referring to paragraph 11 of this application, learned Counsel for the petitioner submits that out of seven chargesheeted witnesses, only one witness has been examined and the trial is not likely to be concluded in near future. He further submits that the petitioner is in custody since 26.04.2020 and similarly situated co-accused person, namely, Jitendra Kumar, has been granted bail by this Court, vide order, dated 27.10.2021, passed in Criminal Misc. No. 56273 of 2021.

Regards being had to the submissions advanced on behalf of the parties and taking into consideration the materials available on record and the fact that the petitioner is in custody since 26.04.2020, the trial is not likely to be concluded in near future, similarly situated co-accused has been granted bail by this Court and this is second attempt for bail on behalf of the petitioner, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.



Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge, Vaishali, at Hajipur, in connection with Sessions Trial No. 211 of 2020, arising out of Goraul Police Station Case No. 144 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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