

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14510 of 2022**

Arising Out of PS. Case No.-159 Year-2020 Thana- MINAPUR District- Muzaffarpur

SUDHIR KUMAR SON OF RAMSAKAL PRASAD R/O VILLAGE-
MAHDEIYA, P.S.- MINAPUR, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Nawal Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 11-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with
Minapur PS Case No. 159 / 2020 registered under Sections 341
/ 323 / 307 / 302 / 504 / 34 of the IPC.

This is 2nd attempt for bail on behalf of the petitioner
inasmuch as earlier bail application of the petitioner was
rejected by this Court vide order dated 01.02.2021 passed in Cr.
Misc. No. 35308 / 2020 granting liberty to the petitioner to
renew his prayer for bail after one year 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 informant by means of iron rod and also
pressed the neck of informant's son due to which he died.



Learned counsel for the petitioner submits that earlier this Court while rejecting the bail application of the petitioner on merit had given him liberty to renew his prayer for bail after one year. Learned counsel next submits that petitioner has remained in custody since 14/05/2020 i.e. for about 02 years and the trial has not registered any progress.

This Court vide its order dated 06-04-2022 has called for a report regarding the stage of trial and in pursuance thereof learned I/C J.M. 1st Class, Muzaffarpur (East) has submitted his report vide letter no. 60 dated 22/04/2022 and from perusal of the same it appears that charges have not yet been framed and none of the witnesses has been examined by the trial court.

Regard being had to the submissions made by the parties, taking into consideration the observation given by this court while rejecting earlier bail application of the petitioner, period of custody and tardy progress of the trial, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Mrs. Swati Dubey, J.M. 1st Class, Muzaffarpur in connection with Minapur PS Case No. 159 / 2020 on the



following condition:-

(a) that the petitioner shall remain present
on each and every date during the course of trial
and in case of default on two consecutive dates
on the part of the petitioner, his bail bond shall
liable to be cancelled.

(Anil Kumar Sinha, J)

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