

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66788 of 2022

Arising Out of PS. Case No.-193 Year-2018 Thana- AMNAUR District- Saran

JITENDRA SINGH @JITENDRA KUMAR SINGH S/o Late Yogandra
Singh R/o village- Rajgarwa, P.S.- Madhaura, District- Saran.. ... Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Samir Kumar, Advocate
For the State : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 04-04-2023 Let the defect(s), if any, pointed out by the office be removed within three weeks from the date of this order failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Amnaur P.S. Case No. 193 of 2018 dated 26.09.2018 registered for the offence(s) punishable under Section(s) 302, 120 (B) of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution, the informant's son was shot dead by one co-accused Subodh Singh at the alleged place.

The main submissions advanced by the learned counsel for the petitioner are that the petitioner earlier preferred Cr. Misc. No.9720 of 2020 for the relief of regular bail which was rejected by an order dated 26.08.2020 with a direction to the trial court to conclude the petitioner's trial



expeditiously and preferably within a period of 1.5 years and as per the present status of the petitioner's trial sent by the trial court, five witnesses have been examined and only the investigating officer and the doctor are to be examined. Further submission is that the petitioner is not named in the FIR and his name surfaced in the alleged crime on his own confession and co-accused persons, namely, Vishal Kumar @ Golu, Pappu Singh @ Pappu Kumar Singh and Raja Patel @ Raja Babu have been granted bail by different Benches of this Court vide orders passed in Cr. Misc. Nos. 13723 of 2019, 18947 of 2019 and 31473 of 2019 respectively and the petitioner has been languishing in jail since 02.11.2018.

Learned APP appearing for the State has vehemently opposed the bail prayer but fairly accepted that against the petitioner, the main material is his own statement given before the police.

In view of the facts, as stated above, and mainly considering the facts that petitioner is not named in the FIR and he has been languishing in jail since 02.11.2018 and his trial is still running despite direction being given on 26.08.2020 by this Court to conclude the petitioner's trial and two official witnesses are yet to be examined in his trial as per the report



sent by the trial court and several co-accused persons have been granted bail by this Court, in the opinion of this Court a lenient approach can be taken in respect of the petitioner’s prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Amnaur P.S. Case No. 193 of 2018.

(Shailendra Singh, J)

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