

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27952 of 2023

Arising Out of PS. Case No.-155 Year-2019 Thana- CHERIYA BARIYARPUR District- Begusarai

CHANDAN SINGH S/o- HARE KRISHNA SINGH RO KHANJHAPUR PS
CHERIYABARIYARPUR DISTRICT BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate.

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 17-05-2023 Heard Mr. Shubhesh Pandey, learned counsel for the

petitioner and Mr. Pranav Kumar, learned Additional Public

Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Sessions Trial No. 321 of 2021 arising out of Cheriya Bariyarpur
P.S. Case No. 155 of 2019 dated 16.10.2019 registered for the
offence punishable under Sections 302, 307 and 120-B/34 of the
Indian Penal Code.

This is third attempt for grant of regular bail on behalf
of the petitioner inasmuch as earlier on two occasions the bail
applications of the petitioner were rejected by this Court vide
orders dated 15.10.2021 and 18.5.2022 passed in Cr. Misc.
26857 of 2020 and 16676 of 2022 respectively with liberty to



renew his prayer for grant of regular bail after six months.

The allegation as per the First Information Report is that the petitioner assaulted the father of the informant on his head with *Katta* and *Khanti*, due to which he died.

Learned counsel for the petitioner submits that the petitioner has been implicated in this case due to land dispute between the parties. The petitioner is the own nephew of the deceased. The petitioner has got no criminal antecedent and he is in custody since 16.10.2019 i.e. for about more than three years seven months.

This Court vide order dated 26.4.2023 had called for a report from the trial court regarding stage of trial and in pursuance thereof, the report of Additional District & Sessions Judge-IV, Begusarai, is on record, and from perusal of the same, it appears that out of ten charge sheet witnesses, seven witnesses have been examined and cross-examined and four are yet to be examined.

Regards being had to the submission made by the parties and taking into consideration the fact that the petitioner is in custody since 16.10.2019, majority of the prosecution witnesses have been examined and there is no likelihood that the petitioner will abscond or tamper with the evidence, I am



inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IVth, Begusarai, in connection with Sessions Trial No. 321 of 2021 arising out of Cheriabariyarpur P.S. Case No. 155 of 2019 subject to the condition that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(Anil Kumar Sinha, J)

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