

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32647 of 2023

Arising Out of PS. Case No.-9 Year-2021 Thana- PATAHI District- East Champaran

RAJAN KUMAR SINGH Son of Avinash Singh @ Avinash Kumar Resident
of village - Jihuli, P.S. - Patahi, Distt. - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mrigank Mauli Sr. Advocate Mr. Prince Kumar Mishra, Advocate.
For the Opposite Party/s	:	Mr. Rajendra Prasad Nat, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 28-06-2023 Heard Mr. Mrigank Mauli, learned senior counsel
for the petitioner and Mr. Rajendra Prasad Nat, learned counsel
for the State.

Petitioner seeks regular bail in connection with Patahi
P.S. Case No. 09 of 2021 dated 09.01.2021 (Sessions Trial No.
445 of 2021) registered for the offence punishable under
Sections 302/34 of the Indian Penal Code.

This is second attempt for grant of regular bail on
behalf of the petitioner inasmuch as earlier the bail application
of the petitioner was rejected by by this Court vide order dated
4.4.2022 passed in Cr. Misc. 36402 of 2021 giving liberty to the
petitioner to renew his prayer for grant of regular bail after one
year if the trial does not show any progress.



Learned senior counsel for the petitioner submits that the petitioner is in custody since 10.01.2021 i.e. four about two and half years and one of the co-accused namely, Niraj Singh @ Niraj Kumar has been granted bail by a co-ordinate Bench of this Court on 27.02.2023 in Cr. Misc. 52063 of 2022.

This Court vide order dated 17.05.2023 had called for a report from the trial court regarding stage of trial and in pursuance thereof, the report of learned Additional District & Sessions Judge, East Champaran, Motihari, dated 22.05.2023 is on record and from perusal of the same, it transpires that out of 10 charge sheet witnesses, 09 have been examined and only Doctor is yet to be examined. There is no likelihood that the petitioner will abscond or tamper with the evidence and he has remained in custody for about two and half years.

Regards being had to the submission made by the parties and taking into consideration the the period of custody and the fact that co-accused has already been granted bail by a co-ordinate Bench of this Court, 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 District and Sessions Judge-
22, East Champaran, in connection with Sessions Trial No. 445
of 2021 arising out of Patahi P.S. Case No. 09 of 2021 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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