

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40424 of 2023

Arising Out of PS. Case No.-160 Year-2022 Thana- KHAJAULI District- Madhubani

Vinod Prasad Sah @ Vinod Sah @ Vinod Prasad Son of Daya Ram Sah
Resident of Village- Behta, PS- Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 4 02-08-2023 1. Heard learned counsel for the petitioner and learned APP for the State.
2. Petitioner seeks regular bail in connection with Khajauli P.S. Case No.160 of 2022 dated 05.09.2022 registered for the offence/s punishable under Section/s 341, 323, 324, 307, 379, 143 and 504 read with Section 34 of the Indian Penal Code.
3. This is second attempt of the petitioner for the relief of regular bail after his earlier attempt for the same relief was rejected by this Court vide order dated 23.02.2023 passed in Cr. Misc. No.63406 of 2022 preferred by this petitioner and now the petitioner has come again for the same relief on the ground of his long custody period.
4. It is submitted by learned counsel for the petitioner that the petitioner has been languishing in jail since



06.09.2022 and the trial of the petitioner has started after framing of charge upon him. Further submissions are that the petitioner has fair and clean antecedent and a land dispute in between both the parties is stated to be the genesis of the occurrence and at the relevant time of the alleged occurrence an incident of free fight took place in between both the parties and both the sides sustained injuries and there is a case and counter case in between them.

5. Learned APP appearing for the State opposes the bail prayer.

6. Heard both the sides. Though there is a serious allegation against this petitioner but considering his custody period which has been about eleven months and secondly the petitioner's trial has started and there is a case and counter case in between both the parties and petitioner has fair and clean antecedent, in the said circumstances, in the opinion of this Court the petitioner now deserves to a lenient approach of this Court. Accordingly, let the petitioner named-above be released on bail in connection with Khajauli P.S. Case No.160 of 2022 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.

(Shailendra Singh, J)

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