

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36666 of 2023

Arising Out of PS. Case No.-404 Year-2022 Thana- CHAKAND District- Gaya

PURSHOTTAM KUMAR, Son of Prem Kumar Resident of village - Bitho Sharif, P.S. - Chakand, Distt. - Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Santosh Kumar, Advocate
For the Informant	:	Mr. Vinod Kumar, Advocate
For the Opposite Party/s	:	Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 5 06-10-2023 1. Heard learned counsel for the petitioner, learned counsel for the informant and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Chakand P.S. Case No. 404 of 2022 dated 23.11.2022 (S. T. No. 351 of 2023) registered for the offence(s) punishable under Section(s) 341, 323, 307, 379, 324/34 of the Indian Penal Code and Section 27 of Arms Act.
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 22.03.2023 passed in Cr. Misc. No. 6386 of 2023.
4. The main submissions advanced by learned counsel



for the petitioner are that the petitioner has been languishing in jail since 26.11.2022 and he is a student of B.Ed. course and his bail prayer was kept pending on account of the non-examination of the so-called victim and informant in the trial of the petitioner and now both have been examined and only two witnesses are remaining to be examined and in between both the parties, a preventive proceeding under Section 144 of Cr.P.C. is running and a land dispute in between them is stated to be the genesis of the occurrence.

5. Learned counsel for the informant has opposed the bail prayer but fairly accepted that the informant and the victim have been examined and only two witnesses of the prosecution remained to be examined.

6. Considering the above submissions and mainly petitioner's custody period and also the facts that the material witnesses of the prosecution have been examined as per above submission and the petitioner is stated to be a student of B.Ed. course, in my opinion, in the present circumstances, now the petitioner deserves to the privilege of bail. Accordingly, 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 concerned Court in connection



with Chakand P.S. Case No. 404 of 2022.

(Shailendra Singh, J)

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