

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50911 of 2023

Arising Out of PS. Case No.-122 Year-2021 Thana- MATIHANI District- Begusarai

Santosh Kumar, S/O - Sri Pashupati Nath Singh, R/O Village- Matihani, P.S.-
Matihani, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Adv.

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 02-08-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Session Trial No. 488 of 2022 arising out of Matihani P.S.
Case No. 122 of 2021 dated 06.10.2021 registered for the
offences punishable under Sections 307 and 506/34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. This is third attempt of the petitioner for the relief
of regular bail after his earlier bail prayers were rejected by
this Bench vide orders dated 19.07.2022 and 01.02.2023
passed in Cr. Misc. Nos. 20295/2022 and 74399/2022
respectively preferred by this petitioner and he has been
languishing in jail since 07.10.2021.



4. The fresh grounds taken by the petitioner for the relief of regular bail in his third attempt are that in the earlier rejection order dated 01.02.2023, this Court had granted liberty to the petitioner to renew his bail prayer after six months, if any significant progress is not made in his trial by the prosecution and accordingly in the light of the said liberty, he has again come before this Court for the relief of regular bail as his trial has started and upon him, the charge has been framed on 30.06.2023 but thereafter, no progress has been made till date and co-accused namely Santosh Kumar S/O-Tuntun Singh, carrying more serious allegation than this petitioner, is on bail and the petitioner, who is alleged to have instigated the said co-accused, has been languishing in jail since 07.10.2021.

5. Learned APP appearing for the State has opposed the bail prayer.

6. Considering the above submissions and mainly taking into account the petitioner's custody period, in my opinion in the present circumstances, the petitioner now deserves to a lenient approach of this Court. Accordingly, let the petitioner named-above be enlarged 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 Session Trial No. 488 of 2022 arising out of Matihani P.S. Case No. 122 of 2021.

(Shailendra Singh, J)

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