

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49765 of 2023**

Arising Out of PS. Case No.-21 Year-2022 Thana- ADHAOURA District- Kaimur (Bhabua)

Sanjay Singh son of Late Mangru Singh, resident of Village-Sodha, P.S.-
Adhaura, District-Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Sunil

For the Opposite Party/s : Mr.Mohammad Sufyan

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 01-09-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 302/34 of the Indian Penal Code.

Earlier, the prayer for bail of the petitioner was
rejected by this Court vide order dated 17.01.2023
passed in Cr. Misc. No. 52505 of 2022 with a direction
to the learned Trial Court to expedite the trial and
conclude the same as soon as possible.

It appears that vide order dated 02.08.2023, a
report with regard to the present stage of the trial was



called for. The report of learned Additional District & Sessions Judge-XI, Kaimur at Bhabua dated 10th of August, 2023 has been received and it has been kept at Flag-A. The report of learned Trial Court suggests that the case is running for the prosecution evidence and out of eleven witnesses, three witnesses have been examined. The report further suggests that the Court is vacant since 01.08.2023 which suggests that there is no hope that the trial will be concluded in near future.

It is a case of commission of making assault to the husband of the informant by means of lathi, danda by the F.I.R named accused persons due to which, he succumbed to the injuries.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The petitioner and informant are next door neighbour and due to previous enmity, the petitioner has been dragged in the



present case. The petitioner is languishing in custody since 30.04.2022 and other co-accused has been granted bail vide order dated 10.04.2023 passed in Cr. Misc. No. 58480 of 2022.

Considering the period under custody and the fact that trial is not likely to be concluded in near future and the facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-XI, Kaimur at Bhabua in connection with Adhaura P.S. Case No. 21 of 2022 (Sessions Trial No. 373 of 2022).

(Sunil Kumar Panwar, J)

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