

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50498 of 2022**

Arising Out of PS. Case No.-126 Year-2008 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Saket Kumar @ Azad Kumar @ Saket @ Rahul @ Azad, Son of Ramesh Singh, Resident of Village - Bikrampur, P.S. - Cheriabariyarpur, District – Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Raj Kumar Sinha, Advocate
For the Opposite Party/s :		Mr. Binod Kumar no.3, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 13-04-2023 Heard learned senior counsel for the petitioner and the learned APP for the State.

2. Petitioner seeks regular bail in connection with Sessions Trial No. 155 of 2021 arising out of Cheriabariyarpur P.S. Case No. 126 of 2008 dated 06.08.2008 registered for the offences punishable under Sections 366, 366A, 372/34 of the Indian Penal Code.

3. The main submissions advanced by the learned senior counsel for the petitioner are that the petitioner has been languishing in jail since 07.03.2020 and his trial has started and



out of six witnesses, two witnesses have been examined which shows the prosecution's lingering attitude in concluding the petitioner's trial and the trial court had issued process to examine the victim as a witness but she did not appear. Further submissions are that victim had married the petitioner in the year 2008 and she was living with him and from the wedlock three children were born but when the relation in between them became sour then the victim lodged a case Bahrapuri (Meturh) P.S. Case No. 6661 of 2018 under section 307 of the Indian Penal Code and thereafter the informant lodged the present case and in the said case the petitioner was arrested.

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

5. Having considered the above submissions and mainly the facts that the petitioner's trial has started and prosecution is very slow in producing the witnesses in the petitioner's trial and the petitioner has been languishing in jail for more than three years, in the opinion of this court, the petitioner deserves to a lenient approach of this court. 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



Sessions Trial No. 155 of 2021 arising out of Cheriabariyarpur
P.S. Case No. 126 of 2008.

(Shailendra Singh, J)

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