

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.67318 of 2023**

Arising Out of PS. Case No.-382 Year-2015 Thana- BALIYA District- Begusarai

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Rajeev Choudhary Son Of Ram Vilash Choudhary Resident Of Village -  
Masudanpur, P.S. - Ballia, District - Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Amar Kumar Singh, Advocate  
For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

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**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

- 2      13-10-2023                      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  
S.T. No. 270 of 2022 arising out of Ballia P.S. Case No. 382 of  
2015 dated 02.12.2015 registered for the offence(s) punishable  
under Section 304(B) 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 05.09.2022 passed in  
Cr. Misc. 19000 of 2022.
4. The main submissions advanced by learned



counsel for the petitioner are that the petitioner who happens to be husband of the deceased, has been languishing in jail since 16.06.2020 and his trial has started but out of 7 chargesheet witnesses, only three witnesses of the prosecution have been examined till date, whose deposition's copies have been filed vide Annexure-3 series and all the said witnesses did not support the prosecution's case and out of them, two witnesses were declared hostile and the last prosecution's witness was examined on 20.04.2022 and thereafter prosecution has not produced any witness which shows the prosecution's lingering attitude and further the petitioner has come again for the relief for regular bail in light of liberty given to him in earlier rejection order.

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

6. Considering the above submissions and mainly petitioner's custody period and also, the prosecution's lingering attitude as pointed out by the learned counsel for the petitioner, this court is now inclined to accept the bail prayer of the petitioner. 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 S.T. No. 270 of 2022  
arising out of Ballia P.S. Case No. 382 of 2015.

**(Shailendra Singh, J)**

Rajiv/-

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