

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67337 of 2023

Arising Out of PS. Case No.-224 Year-2020 Thana- VAISHALI District- Vaishali

Shekhar Kumar, Son of Jagarnath Singh, Resident of Village -Bahorkha P.S.-
Vaishali (Belsar O.P.) District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar, Advocate
		Mr. Sunil Kumar, Advocate
For the Opposite Party/s :		Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Vaishali (Belsar O.P.) P.S. Case no. 224 of 2020, registered under sections 302, 201 and 34 of the Indian Penal Code.

3. The earlier applications for bail of the petitioner were rejected vide orders dated 21.3.2022 (Annexure-1 series) passed in Cr. Misc. no. 48340 of 2021 and dated 22.2.2023 passed in Cr. Misc. no. 73958 of 2022.

4. As per the prosecution case, the daughter of the informant who was married to the petitioner herein was done to death by the accused persons.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. While rejecting



the application for bail vide order dated 22.2.2023, this Court had granted liberty to the petitioner to renew his prayer for bail if there is no substantial progress in the trial in the learned trial Court. Though some of the witnesses on behalf of the prosecution have been examined, besides being declared hostile, there is no chance of the trial concluding in the near future. The petitioner is in custody since 24.12.2020 and undertakes to cooperate in the trial.

6. A supplementary affidavit has been filed on behalf of the petitioner bringing on record the deposition of the prosecution witnesses examined in course of the trial.

7. The application for bail is opposed by learned APP for the State.

8. Having heard learned counsel for the parties and taking into consideration the contents of the deposition of the witnesses examined on behalf of the prosecution especially that of PW-4 Opindra Singh, father of the deceased and the trial having progressed, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

9. It may further be observed that as per the report dated 31.10.2023 received from the learned trial Court summons have been issued for appearance of the doctor and the Investigating Officer in the trial/case on behalf of the prosecution. If these two official witnesses have not already been examined, the



Superintendent of Police, Vaishali shall ensure their appearance
in the trial on the next appointed date.

10. Let a copy of this order be communicated to the
Superintendent of Police, Vaishali.

(Partha Sarthy, J)

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