

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70178 of 2023

Arising Out of PS. Case No.-161 Year-2022 Thana- PHULWARIA District- Begusarai

CHIKKU KUMAR @ CHIKKU SINGH S/O NARESH SINGH VILLAGE-
SURAJ NAGAR NIPANIYA, PS. PHULWARIYA, DIST. BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur, Adv.

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 03-11-2023 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner renews his prayer for bail in connection with Phulwaria P.S. Case No. 161 of 2022 registered for the offences punishable under Sections 302, 120B and 201/34 of the Indian Penal Code.

3. Ld. counsel for the petitioner submits that the petitioner had moved this Court earlier for regular bail vide Cr. Misc. No. 11110 of 2023. However, the same was rejected vide order dated 30.05.2023 passed in Cr. Misc. No. 11110/2023 on merit. Thereafter, the petitioner preferred fresh bail petition in S.T. No. 565/2023 which was rejected by Ld. Trial Court vide order dated 07.07.2023 observing that bail petition of the petitioner has already been rejected by that court as well as this Court on merit and there is no fresh ground or circumstances so as to warrant reconsideration of the prayer of the petitioner for bail.

4. Even till date, no fresh ground/circumstance is



pointed out except length of the custody of the petitioner in Phulwaria P.S. Case No. 161 of 2022. It is also submitted that the petitioner has been in custody since 23.09.2022 i.e., for about 1 year and 1 ½ months. It is further submitted that the trial is at the stage of examination of witnesses, though, no witness has been examined till date.

5. Ld. APP for the State opposes the prayer of the petitioner for bail and submits that the alleged offence is serious in nature and regular bail petition has already been rejected on merit and custody of 1 year and 1 ½ months is not a long period in a murder case. Hence, petitioner does not deserve to be enlarged on bail.

6. Considering the aforesaid facts and circumstances, the Ld. Trial court is directed to expedite the trial at the earliest preferably within one year. However, if the trial is not concluded within next one year, the petitioner would be at liberty to renew his prayer for bail before this Court.

7. Accordingly, the present petition for bail is rejected with the aforesaid observation.

(Jitendra Kumar, J)

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