

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73958 of 2022

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

Shekhar Kumar, Son of Jagarnath Singh, R/v- Bahorawa, P.S.- Vaishali
(Belsar O.P.), District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Niraj Kumar, Advocate
	Mr. Saurav Suman, Advocate
	Ms. Prerna kant, Advocate
	Ms. Saloni Sinha, Advocate
For the Opposite Party/s :	Mr. Surendra Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has renewed his prayer for grant of regular bail in a case registered under sections 302, 201 and 34 of the Indian Penal Code.

The earlier application for bail of the petitioner was rejected vide order dated 21.3.2022 (Annexure-1) passed in Cr. Misc. no. 48340 of 2021.

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

It is submitted by learned counsel for the petitioner that he has been falsely implicated in the case for the reason of his being the husband of the deceased. He is in custody since



24.12.2020 and there is no progress in the trial in the learned trial Court.

The application for bail of the petitioner is opposed by learned A.P.P for the State.

A report was called for from the learned trial Court. As per the report received contained in letter dated 17.1.2023 of the learned Additional District and Sessions Judge Ist-cum-Special Judge, Vaishali at Hajipur, charge has been framed, however no witness has been examined on behalf of the prosecution.

Having heard learned counsel for the parties and taking into consideration the petitioner being the husband of the deceased and the cause of death of the daughter of the informant having been found to be asphyxia due to throttling, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

However, in view of the fact that the petitioner has remained in custody for more than 2 years since 24.12.2020, liberty is granted to the petitioner to renew his prayer for bail if there is no substantial progress in the trial in the learned trial Court in six months.

(Partha Sarthy, J)

avinash/-

U		T	
---	--	---	--

