

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81783 of 2023

Arising Out of PS. Case No.-114 Year-2020 Thana- BITHAN District- Samastipur

Raja Mukhia @ Raja Kumar Son Of Devnandan Mukhiya R/O Village-
Fultora, P.S.- Alauli, Dist.- Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand, Advocate
For the Opposite Party/s : Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 15-12-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Bithan P.S. Case No. 114 of 2020 dated 02.11.2020 registered
for the offence(s) punishable under Section(s) 302/34 of the
Indian Penal Code and Section 27 of Arms Act.

3. This is second attempt of the petitioner for the
relief of regular bail after his earlier attempt for the said relief
was rejected by this court vide order dated 16.02.2023 passed in
Cr. Misc. No. 46538 of 2022 preferred by this petitioner.

4. The main submissions advanced by learned counsel
for the petitioner are that the petitioner earlier preferred
criminal miscellaneous for the relief of regular bail which was
rejected by this bench and thereafter the petitioner has again



come before this bench for the said relief mainly on the ground of his custody period and no significant progress in his trial and till date only two prosecution witnesses have been examined in the trial of this petitioner despite the charges having been framed upon him on 20.07.2022 and the petitioner has got no criminal antecedent and he is a driver by profession. Further submission is that there is no direct evidence against the petitioner to connect him to the alleged occurrence of murder and the prosecution is mainly relying upon circumstantial evidences, against the petitioner in respect of his alleged involvement in the alleged crime.

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

6. Considering the above submissions and mainly taking into account the petitioner's custody period and slowness of prosecution in producing and examining the prosecution witnesses in the trial of the petitioner as stated above and also coupled with petitioner's fair and clean antecedent, in my opinion, in the said circumstances, the petitioner now deserves to a lenient approach of this court. Accordingly, let the petitioner named-above 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 Bithan P.S. Case No. 114 of 2020 .

(Shailendra Singh, J)

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