

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18955 of 2024

Arising Out of PS. Case No.-10 Year-2022 Thana- CHAINPUR District- Kaimur (Bhabua)

RAHUL KUMAR SINGH @ MADHUKAR SON OF LATE
RAGHAWENDRA NARAYAN SINGH RESIDENT OF SAKIN -
MALIKSARAI, P.S. - CHAINPUR, DISTRICT - KAIMUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sumit Kumar Singh, Adv. Mr. Binod Kumar Singh, Adv. Mrs. Alka Singh, Adv.
For the State	:	Mr. Pramod Kumar Pandey, APP
For the Informant/s	:	Mr. Mithilesh Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 26-04-2024 Heard learned counsels for the Petitioner and

learned APP for the State.

2. Petitioner seeks regular bail in connection with
Sessions Trial No. 475/2022, arising out of Chainpur P.S. Case
No. 10 of 2022, dated 12.01.2022 registered for the offences
punishable under Sections 302 and 120B of the Indian Penal
Code.

3. Mr. Sumit Kumar Singh, learned counsel appearing
for the petitioner submits that this is the third attempt of the
petitioner to get the relief of bail and earlier he filed Cr. Misc.
No. 39855 of 2022 for the relief of bail which was rejected and
in last rejection order passed in Cr. Misc. No. 38684 of 2023 the



petitioner was granted a liberty to renew his prayer for bail if his trial is not concluded within six months from the date of order dated 05.07.2023 passed in the said Cr. Misc. and accordingly the petitioner has again come for the relief of bail mainly in the light of the said liberty. Learned counsel further submits that the petitioner has served two years and one month in jail till date and the instant matter relates to circumstantial evidence as well as last seen theory and there is no direct evidence against this petitioner.

4. Mr. Mithilesh Kumar Singh, learned counsel appearing for the informant has vehemently opposed the petitioner's prayer and submitted that the cross-examination of investigating officer could not have been done on account of the absence of the Presiding Officer of the court concerned and in the present time, the trial court is vacant as the Presiding Officer has been transferred.

5. Considering the above submissions and mainly taking into account the petitioner's custody period coupled with the status of the trial of the petitioner as appears from the report sent by the trial court, which goes to show that out of thirteen prosecution witnesses, only seven witnesses have been examined which shows that there may be some delay in the final



disposal of the petitioner’s trial, in my opinion, in the said circumstances the petitioner now deserves to the privilege of bail. Accordingly, let the petitioner named-above be enlarged on bail on furnishing of 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 Sessions Trial No. 475/2022, arising out of Chainpur P.S. Case No. 10 of 2022.

(Shailendra Singh, J)

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