

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19876 of 2023

Arising Out of PS. Case No.-1102 Year-2018 Thana- BIHTA District- Patna

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Biteshwar Verma @ Birendra Verma @ Birendra Kumar Verma S/O Late
Sahja Verma @ Satya Narayan Verma Resident of Village- Bhagwaitpur, P.S.-
Bihta (Neora), District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vipin Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 7 26-04-2024 1. Heard the learned counsel for the petitioner and the
learned APP for the State.
2. The present petition is by way of fourth attempt at
the behest of the petitioner for grant of regular bail in
connection with Bihta PS case no. 1102 of 2018, registered
under Section 302/34 of the Indian Penal Code and Section 27
of Arms Act.
3. The petitioner is the main assailant of Bihta PS
case no. 1102 of 2018, as such, earlier on three occasions, the
bail applications of the petitioner have been rejected.
4. Learned counsel for the petitioner submits that
while rejecting the bail application of the petitioner for the first
time on 02.09.2019 in Cr. Misc. no. 34692 of 2019, liberty was



granted to the petitioner to renew his prayer for bail, if the trial is not concluded within nine months. He further submits that again, the petitioner moved bail application for the second time vide Cr. Misc. no. 31249 of 2020 but the same was also rejected by order dated 05.02.2021, with liberty to the petitioner to renew his prayer for bail, if the trial is not concluded within nine months but even then, the trial was not concluded and then the petitioner moved his bail application for the third time vide Cr. Misc. no. 68652 of 2021, which was rejected by order dated 03.08.2022, with a direction to the District Magistrate and the Senior Superintendent of Police, Patna to ensure production of the witnesses on the date fixed by the Trial Court, so that the trial could be concluded within the stipulated period of six months. The petitioner is stated to be in custody since 27.10.2018 i.e. for more than 05 years.

5. I have heard learned counsel for the parties. This Court had called for a report regarding the stage of trial vide order dated 30.01.2024, pursuant to which, a report dated 04.03.2024 has been submitted by learned A.S.J.-III, Civil Court, Danapur, stating therein that Sessions Trial No. 135 of 2021 is pending at the stage of prosecution evidence and up till now, the prosecution has not produced any witness.



6. Regards being had to the submission made by learned counsel for the parties and taking into consideration the period of custody of the petitioner and slow progress of trial, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

7. Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional Sessions Judge-I, Danapur in connection with Bihta PS case no. 1102 of 2018.

8. It is further directed that the petitioner shall appear before the learned Trial Court on each and every date so fixed by the Court and in default of two consecutive appearances, the present privilege of regular bail shall liable to be cancelled.

(Anil Kumar Sinha, J)

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