

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23558 of 2024

Arising Out of PS. Case No.-185 Year-2022 Thana- BUXAR MUFFSIL District- Buxar

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VIJAY SINGH S/O SRI ABHAY SINGH R/O VILLAGE- KARMA, P.S-
DHANSOIN, DISTT.- BUXAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Rudrank Shivam Singh, Adv.
For the State	:	Mr.Binod Kumar No.3, APP
For the Informant	:	Mr. Satyapal Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 08-07-2024

1. Heard the parties.

2. Petitioner seeks regular bail in connection with Buxar (M) P.S. Case No.185/ 2022 dated 04.05.2022 registered for the offence(s) punishable under Section(s) 341, 323, 307 read with 34 and 302 of the Indian Penal Code.

3. Mr. Rudrank Shivam Singh, learned counsel for the petitioner submits that petitioner earlier approached this court for the relief of regular bail by way of filing Cr. Misc. No. 69738/ 2022 which was rejected by this court vide order dated 21.03.2023 and now the petitioner has again come for the relief of bail mainly on the grounds of his long incarceration period and examination of all the material witnesses in his trial. It is further submitted that two co-accused persons, namely,



Akshay Singh and Raju Singh, who are named in the F.I.R. and carrying serious allegation are on bail granted by this Bench and a co-ordinate Bench of this court vide orders passed in Cr. Misc. No. 83653/ 2023 and 7033/ 2023 respectively and F.I.R. itself shows that informant is not an eye witness of the alleged occurrence and as per allegation, petitioner is said to have assaulted by means of iron rod to the deceased but there is no details of the body part upon which the petitioner inflicted blow and in the F.I.R. no motive on the part of the petitioner to commit the alleged occurrence has been disclosed.

4. Mr. Binod Kumar No.3, learned APP appearing for the State and Mr. Satyapal Singh, learned counsel for the informant opposed the bail prayer and submitted that trial of the petitioner is at the fag end as five prosecution's witnesses have been examined and three have been given up and the trial of petitioner is running for examination of only one official witness.

5. Having considered the submissions made on behalf of the petitioner and also taking into account petitioner's custody period which is about two years and material prosecution's witnesses have been examined as per report of the trial court and the petitioner has got no criminal antecedent, in



my opinion now the petitioner deserves to be released on bail. Accordingly, let the petitioner named-above be released on bail in connection with Buxar (M) P.S. Case No.185/ 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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