

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34161 of 2024**

Arising Out of PS. Case No.-515 Year-2022 Thana- JAGDISHPUR District- Bhojpur

Upendra Kumar @ Upendra Singh Son Of Mukhtar Singh Village + .P.O.-  
Baulipur P.S- Jagdishpur, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anant Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

- 2      08-07-2024                      1. Heard learned counsel for the petitioner and learned APP for the State.
2. Petitioner seeks regular bail in connection with Sessions Trial No. 323 of 2023 arising out of Jagdishpur P.S. Case No. 515 of 2022 dated 18.10.2022 registered for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code.
3. Mr. Anant Kumar Pandey, learned counsel for the petitioner submits that the petitioner earlier approached before this Court for the relief of regular bail by filing Cr. Misc. No. 26369 of 2023 which was rejected by this court vide order dated 24.05.2023 with given him a liberty to renew his bail prayer after 10 months, if no significant progress is made in his trial



and the petitioner has come again mainly in the light of the said liberty as no prosecution witness has been produced and examined by the prosecution despite the charge having been framed upon the petitioner on 20.06.2023. Further submission is that the petitioner's long incarceration period in jail is also a fresh ground as the petitioner has been languishing in jail since 19.10.2022. Furthermore, Sangita Devi has been granted bail by a co-ordinate bench of this court vide order dated 15.05.2023 passed in Cr. Misc. No. 12069 of 2023.

4. Mr. Aditya Narayan Singh.1, learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Having considered the above submissions and mainly taking into account the petitioner's custody period coupled with his fair and clean antecedent and also no progress in the trial of the petitioner despite the charge having been framed upon him on 20.06.2023 which show the prosecution's lingering attitude in producing witnesses, in my opinion, the petitioner now deserves to the privilege of bail. 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 Sessions Trial Case No. 323 of 2023, arising  
out of Jagdishpur P.S. Case No. 515 of 2022.

**(Shailendra Singh, J)**

Rajiv/-

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