

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38389 of 2024

Arising Out of PS. Case No.-305 Year-2022 Thana- BAHERI District- Darbhanga

Kanhiya Kumar @ Kanhaiya Kumar, Son of Mahabir Mandal @ Mahaveer Mandal, R/o Village - Madhuban, P.S.- Baheri, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Roona, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 13-09-2024 1. Heard learned counsel for the petitioner and the learned APP for the State.

2. The matter has been placed before this Court for consideration of the petitioner's bail prayer made under Section 439 of Cr.P.C.

3. Petitioner seeks regular bail in connection with Sessions Trial No. 454/2023 arising out of Baheri P.S. Case No. 305/2022 dated 12.10.2022 registered for the offence punishable under Section 304B read with Section 34 of the Indian Penal Code.

4. Learned counsel for the petitioner submits that this is second attempt of the petitioner to get the relief of regular bail as his earlier bail prayer was rejected by this Bench vide order dated 26.07.2023 passed in Cr. Misc. No. 44730/2023 and the petitioner has again come before this Court for the same relief



mainly on the ground of his long custody period as well as no significant progress in his trial and in this regard, the report sent by the trial court regarding status of his trial may be perused and the petitioner has been languishing in jail since 02.03.2023.

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

6. Having considered the submissions and taking into account the status report of the petitioner’s trial which goes to show that his trial has started recently and the charges were framed upon him on 13.08.2024 and there may be some delay in disposal of his case coupled with his custody period which is about one year and six months and he is said to be a labourer of young age, in my opinion, in the said circumstances, the petitioner now deserves to the privilege of grant of bail. Accordingly, let the petitioner named-above be enlarged 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 Court concerned in connection with Sessions Trial No. 454/2023 arising out of Baheri P.S. Case No. 305/2022.

(Shailendra Singh, J)

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