

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.43170 of 2023

Arising Out of PS. Case No.-416 Year-2020 Thana- PARBATTa District- Khagaria

BIPUL SINGH Son of Pankaj Singh @ Pankaj Kr. Singh Resident of Village -
Shri Rampur Thuthi, P.S. - Parbatta, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar,Adv.

For the Opposite Party/s : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

7 19-01-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks regular bail in connection with
Parbatta P.S. Case No. 416 of 2020 dated 13.11.2020 registered
for the offence(s) punishable under Section(s) 302, 307 read
with Section 34 of the Indian Penal Code and under Section 27
of Arms Act.

3.The main submissions advanced by learned counsel
for the petitioner are that petitioner earlier preferred Cr. Misc.
No. 17424 of 2022 for the relief of regular bail which was
rejected by this Bench on 07.07.2022 and he has again come for
the said relief mainly on the ground of his long custody period
as well as examination of three material prosecution's witnesses



including the informant. Further submissions are that as per F.I.R., the informant is said to be sole eye witness of the occurrence but he has not supported the prosecution's case before the trial court and his deposition's copy has been filed before this court by way of supplementary affidavit. Further submissions are that two other material prosecution's witnesses, PW 1, Ram Babu Sharma, and PW 2, Bindeshwari Sharma, have also been examined in the petitioner's trial but they have also been declared hostile though against the petitioner there is criminal antecedent of one case but in the said case he has got bail.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and taking into account petitioner's long custody period and also, the fact, that prosecution's main witness, mentioned above, turned hostile in the trial of the petitioner, in my opinion, in the said circumstances, the petitioner now deserves to the privilege of bail. Accordingly, let the petitioner named-above be released on bail in connection with Parbatta P.S. Case No. 416 of 2020 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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