

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46676 of 2024

Arising Out of PS. Case No.-34 Year-2020 Thana- PASRAHA District- Khagaria

Raju Kumar Son of Sudhir Singh Resident of Vill- Piperpanti, P.S.- Pasraha,
District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Adv

For the Opposite Party/s : Ms. Sharda Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 22-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Pasraha P.S. Case No. 34 dated 2020 registered for the offences punishable u/s 302/34 of the I.P.C and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons came to the door of the informant and on exhortation of the co-accused Jalo Singh, the petitioner fired on the informant's son due to which he died on the spot.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that charge-sheet has already been submitted against the petitioner and five witnesses have also been



examined out of the eleven charge sheeted witnesses. The petitioner's bail has already been rejected vide order dated 03.08.2023 passed in Cr. Misc. No. 46570 of 2023. As per letter No. 03/2024 dated 03.08.2024, the present case is pending for prosecution witnesses. Altogether five prosecution witnesses has been examined till date. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 27.06.2020 i.e. more than four years. There is a delay at the stage of the prosecution evidence. The conclusion of the trial will take more time.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. There is specific allegation of firing against the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the nature of allegation levelled against the petitioner as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Khagaria in connection with Pasraha P.S. Case No. 34 dated 2020, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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