

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55254 of 2024

Arising Out of PS. Case No.-46 Year-2023 Thana- TERHAGACHH District- Kishanganj

Md Razzaque @ Razzaque @ Md Rajjak SON OF MD SARFO UDDIN
VILLAGE- CHARGHARIA, PS- TERHAGACHH, DIST- KISHANGANJ

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amal Kumar Sinha
For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 22-11-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Terhagachh P.S. Case No. 46 of 2023 registered for the offence
punishable under Sections 302/34 of the Indian Penal Code.

3. The petitioner is the husband of the deceased who
is said to have killed the deceased along with the other co-
accused persons. From the report of the trial court, it appears
that out of nine chargesheeted witnesses, three witnesses have
been examined and rest of the witnesses have not been
examined because they are not turning up for trial though
summons and bailable warrants have been issued against the
witnesses. The petitioner is in jail since 22.06.2023.

4. From the above, it appears that the prosecution is
not co-operating in the trial. The petitioner cannot remain in jail



indefinitely.

5. Considering the fact that the prosecution is delaying the trial, this application is allowed.

6. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st cum Special Judge, Kishanganj/concerned court in connection with Terhagachh P.S. Case No. 46 of 2023.

7. The petitioner will co-operate in the trial personally or through his lawyer.

(Sandeep Kumar, J)

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