

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61753 of 2023**

Arising Out of PS. Case No.-193 Year-2018 Thana- AMNAUR District- Saran

Subodh Singh @ Subodh Kumar Singh @ Subodh Kumar S/O Bharat Deo
Singh R/O Village- Amnour Har Narayan, Ps. Amnour, Dist. Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr.Satyendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

3 16-02-2024 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The present petition is by way of fourth attempt at the behest of the petitioner for grant of regular bail in connection with Sessions Trial No.343 of 2019, arising out of Amnour P.S. Case No.193 of 2018 registered for the offences under Sections 302, 120B of the Indian Penal Code and Section 27 of the Arms Act inasmuch as all the earlier petitions filed by the petitioner for grant of bail have stood dismissed.

3. The prosecution case, as per the written report of Sambhu Sah, submitted to the S.H.O., Amnour is to the effect that on 26.09.2018 at 6 A.M., the son of the informant, Pappu Kumar, went to Amnour market to take tea from the tea stall. In the meantime, co-accused Bhim Singh and the petitioner



Subodh Singh came on a motorcycle, when the petitioner resorted to firing on the chest of the son of the informant and then he escaped from the scene, however, the same resulted in death of the son of the informant on the spot. The motive of the occurrence is alleged to be old land dispute. The petitioner is stated to be the main assailant who had fired on the chest of the son of the informant, resulting in his death on the spot.

4. The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 13.12.2018, without there being any substantial progress in the ongoing trial, hence the petitioner be granted the privilege of bail.

5. *Per contra*, the learned Additional Public Prosecutor appearing for the State has vehemently opposed the prayer for bail and has submitted that this Court, by an order dated 08.12.2023, had called for a report from the learned Trial Court.

6. This Court finds that a report dated 14.12.2023 has been received from the learned Additional District & Sessions Judge- XII, Saran at Chapra wherein it has been stated that five witnesses have been examined and thereafter, the Investigating Officer has also entered appearance, however, accused Raja



Patel and Vishal Kumar have left *pairvi*.

7. Considering the aforesaid report dated 14.12.2013, this Court directs the learned Trial Court to take all such measures, including coercive steps, as are provided for under the law, for ensuring appearance of the aforesaid two accused persons before the learned Trial Court, within a period of four weeks from today. The learned Trial Court is further directed to ensure that all the witnesses are examined and the trial is concluded, within a period of nine months from today.

8. At this juncture, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to renew his prayer for grant of regular bail, before the learned Trial Court itself, after lapse of one year from today, in case there is no substantial progress in the ongoing trial. Liberty so sought is granted.

9. Accordingly, the present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

kanchan/-

U		T	
---	--	---	--

