

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72194 of 2024

Arising Out of PS. Case No.-177 Year-2021 Thana- MURLIGANJ District- Madhepura

Vivek Kumar Sah Son of Late Ramnaresh Sah Resident of At Sahebganj
Itahari, Ward No.09, P.S. - Murliganj, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Alka Verma, Advocate

For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 20-12-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has renewed his prayer for grant of
regular bail in connection with Murliganj P.S. Case no. 177 of
2021 registered under sections 302, 120B and 34 of the Indian
Penal Code and section 27 of the Act.

3. As per the prosecution case, the daughter of the
informant who is said to be the second wife of the petitioner was
killed.

4. Learned counsel for the petitioner submits that
earlier prayer for bail of the petitioner was rejected vide order
dated 2.2.2024 passed in Cr. Misc. no. 175 of 2024 giving
liberty to the petitioner to renew his prayer for bail after 6
months in case there is no substantial progress in the trial. It is



further submitted that inspite of the petitioner being in custody since 19.9.2021, the trial is still continuing and there is no chance of the same concluding in the near future. The petitioner undertakes to cooperate in the trial.

5. A report was called for from the learned trial Court. As per the report received contained in letter dated 5.12.2024 of the Additional District & Sessions Judge-II, Madhepura, two witnesses out of the six charge-sheet witnesses have been examined on behalf of the prosecution. For appearance of the remaining charge-sheet witnesses, summons and warrants have been issued.

6. The application for bail is opposed by learned APP for the State.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the petitioner being in custody for more than 3 years since 19.9.2021, only one witness having been examined in the last 10 months and summons and warrants having been issued on account of the prosecution witnesses not appearing, the petitioner is directed to be enlarged on bail in connection with Murliganj P.S. Case no. 177 of 2021, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the



like amount each to the satisfaction of the learned 4th Additional
District & Sessions Judge, Madhepura.

(Partha Sarthy, J)

Harsh/-

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