

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80850 of 2023**

Arising Out of PS. Case No.-92 Year-2021 Thana- BHAGWANPUR District- Vaishali

VIKASH KUMAR @ VIKASH KUMAR RAI S/O MANOJ RAI @ MANOJ
KUMAR RESIDENT OF VILLAGE- SALEMPUR, P.S.- BHAGWANPUR,
DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

4 19-04-2024

1. Heard the parties.

2. Petitioner seeks regular bail in connection with Bhagwanpur P.S. Case No. 92/ 2021 dated 11.04.2021 registered for the offence(s) punishable under Section(s) 304B read with section 34 of the Indian Penal Code.

3. Mr. Sunil Kumar Singh, learned counsel for the petitioner submits that this is second attempt of the petitioner for the relief of regular bail after his earlier attempt for the same relief was rejected by this Bench vide order dated 25.08.2022 passed in Cr. Misc. No. 30791/ 2022 with a liberty given to him to renew his bail prayer before the trial court after the examination of non official witnesses of the prosecution and he availed the said liberty but the learned trial court without



considering the spirit of this court's direction rejected the bail prayer of the petitioner. It is further submitted that petitioner has been languishing in jail since 11.04.2021 and now after his release, there is no chance of any tampering with the prosecution's evidence by this petitioner.

4. Mr. Rajendra Nath Jha, learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly taking into account the petitioner's custody period and also, the fact that all the material witnesses of the prosecution have been examined so, now the petitioner is entitled to the relief of bail. Accordingly, let the petitioner named-above be released on bail in connection with Bhagwanpur P.S. Case No. 92 of 2021 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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