

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84579 of 2023

Arising Out of PS. Case No.-247 Year-2022 Thana- BHAGWANPUR District- Vaishali

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Rajiv Kumar @ Rajeev Kumar, son of late Shiv Ratan Rai R/O Village-
Madanpur, P.S.- Bheldi, Dist.- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sujit Kumar, Advocate

For the Opposite Party : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 13-03-2024 Heard the learned counsel for the petitioner and

learned APP for the State.

2. This is the second attempt of the petitioner

for grant of regular bail in connection with Bhagwanpur P.S.

Case No.247 of 2022 registered under Sections 302 and 201/34

of the Indian Penal Code. Earlier, the bail of the petitioner was

rejected vide order dated 25.05.2023 passed in Cr. Misc. No.

14003 of 2023.

3. A girl was killed and thrown away and when

the police reached there, the petitioner was caught. He gave the

name and address of the girl. He has also confessed his guilt and

it has come during investigation that the petitioner along with

others is involved in the killing of the girl.



4. The petitioner is in custody since 25.10.2022 and he has clean antecedent. Charge has been framed in this case on 10.07.2023. From the order-sheet of the court below, it appears that not even a single witness has been examined till date by the prosecution. Other similarly situated co-accused have been granted bail.

5. It has been submitted by learned counsel for the petitioner that the petitioner/accused has a right of speedy trial and he cannot be detained in judicial custody for indefinite period.

6. Considering the period of custody of the petitioner as well as the delay in trial which is attributable to the prosecution, this bail application is allowed.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., 1st, Vaishali at Hajipur, in connection with Bhagwanpur P.S. Case No.247 of 2022, subject to the condition that the petitioner shall co-operate in the trial and shall be properly represented on each and every date through his lawyer or himself fixed by the court below. In the event of failure to appear on two consecutive dates without sufficient reason, the



court below will be at liberty to pass appropriate order including
cancellation of bail bonds of the petitioner.

(Sandeep Kumar, J)

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