

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85364 of 2023

Arising Out of PS. Case No.-132 Year-2022 Thana- BASANTPUR District- Siwan

=====

Amitesh Kumar @ Sikari Son of Yogendra Singh R/o vill - Basawan, P.S. -
Basantpur, Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Shankar Kumar, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Singh, APP
For the Informant	:	Mr. Randhir Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 02-02-2024 Heard Mr. Shankar Kumar, learned counsel for the

petitioner, Mr. Randhir Kumar, learned counsel appearing on

behalf of the informant as well as Mr. Sanjay Kumar Singh,

learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
31.03.2022 in connection with Sessions Trial No. 367 of 2022
arising out of Basantpur P.S. Case No. 132 of 2022, F.I.R. dated
30.03.2022 for the offences punishable under Sections 302, 307,
341, 323, 504/34 of the Indian Penal Code.

3. Earlier the bail application of the petitioner has been
rejected by this Hon'ble Court vide order dated 17.03.2023
passed in Cr. Misc. No. 56431 of 2022. Thereafter, the petitioner
has moved before this Hon'ble Court for renewal of his bail but



the same was withdrawn with a liberty to file a fresh before the learned Trial Court.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R is that the petitioner along with other accused persons have assaulted the victim and he died during his treatment. He further submits that the allegation against the petitioner is not supported by any medical evidence.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor on the basis of materials available on record and the case diary have vehemently opposed the prayer for bail of the petitioner and submits that the allegation as alleged in the F.I.R is supported by the medical evidence.

6. Vide order dated 05.01.2024 a report was called with regard to the present stage of trial. Report of the learned Trial Court dated 27.01.2024 reveals that out of six charge sheet witnesses, two witnesses have already been examined and the case is pending for the examination of rest of the prosecution witnesses.

7. Considering the aforesaid facts and circumstances



as well as report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with Sessions Trial No. 367 of 2022 arising out of Basantpur P.S. Case No. 132 of 2022 pending in the court of learned Additional District Judge-II, Siwan.

8. Prayer is refused.

9. However, learned Trial Court is directed to expedite and conclude the trial at the earliest.

(Rajesh Kumar Verma, J)

Vanisha/-

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

