

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20013 of 2025

Arising Out of PS. Case No.-140 Year-2022 Thana- DIDARGANJ District- Patna

Umesh Kumar Singh @ Umesh Singh S/O Late Bhola Singh R/O Vill -
Nayapanapur Manash, P.S - Akilpur, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 20-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 1432 of 2022, arising out of Didarganj P.S. Case No. 140 of 2022 registered for the alleged offences under Sections 302/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner and other co-accused persons assaulted the son of the informant causing his death. The occurrence is stated to have taken place in the background that the petitioner being one of the accused persons in the murder case of the son of the deceased and deceased was one of the witnesses.

4. Learned counsel for the petitioner submits that this



is the second attempt of the petitioner to seek bail from this Court as the prayer for bail of the petitioner was earlier rejected vide order dated 18.04.2023 passed in Cr. Misc. No. 61483 of 2022 by a Co-ordinate Bench. Learned counsel further submits that the petitioner is in custody since 01.06.2022 and though four years have elapsed but only one witness has been examined in part and that witness is the investigating officer of this case. Neither the informant has been examined nor the other witnesses were produced by the prosecution for recording their evidence. Learned counsel further submits that the allegations are general and omnibus and the co-accused Priti Devi having similar allegation has been granted bail by a Co-ordinate Bench vide order dated 22.01.2025 passed in Cr. Misc. No. 75826 of 2024. Learned counsel further submits that considering the progress in trial there is no likelihood of trial being concluded in near future and the petitioner undertakes to remain present before the court as and when required. The petitioner is having antecedent of one case in which he is on bail.

5. Learned APP opposes the submission made on behalf of the petitioner submitting that no new fact has come on record to reconsider the prayer for bail of the petitioner.

6. Pursuant to order dated 23.07.2025, a report has



been received from learned District & Additional Sessions Judge-I, wherein he has stated that out of 6 charge sheeted witnesses, only one witness has been examined after framing of charges on 20.04.2023.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and further considering the delay in trial as there is no likelihood of trial being concluded in near future, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-I, Patna City, Patna/concerned Court in connection with Sessions Trial No. 1432 of 2022, arising out of Didarganj P.S. Case No. 140 of 2022, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three



consecutive dates or in violation of the
terms of the bail, the bail bond of the
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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