

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27714 of 2025

Arising Out of PS. Case No.-248 Year-2023 Thana- CHAPRA TOWN District- Saran

Rakesh Rai @ Rakesh Kumar @ Jhinga, Male, aged about 20 years, Son of Kameshwar Rai, R/O Village- Rupganj Kewara, Adda No. 2 P.S.- Chapra Town, Distt. -Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Harshvardhan, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 20-06-2025 Heard learned counsel for the petitioner and learned counsel for the State.

2. The petitioner is in custody in a case registered for the offence punishable under Sections 341, 307, 323 and 324 of the Indian Penal Code.

3. Allegation against the petitioner is to have assaulted the son of the informant by knife, due to which, he sustained injuries.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that earlier the prayer for bail of this petitioner was rejected by this Court passed in Cr. Misc.No. 38236 of 2024 vide order dated 01.08.2024 and also submits that the trial of this petitioner is not likely to be concluded in near future. Petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody since 29.12.2023.



5. Learned APP for the State opposes the prayer for bail of this petitioner.

6. From perusal of the letter no.119 of 2025 dated 03.06.2025 by the learned District & Additional Sessions Judge-XIV, it appears that despite issuance of summons not even a single prosecution witnesses could be examined and also submits that bailable warrant was issued on 02.06.2024 against witnesses for recording their testimony on next date fixed on 16.06.2025 and the fact that the trial of this petitioner is not likely to be concluded in near future and the petitioner is in custody for more than one year, let the above named petitioner 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 learned District & Additional Sessions Judge-14th, Saran at Chapra in connection with Chapra Town P.S. Case No. 248 of 2023 with condition that the petitioner shall remain physically present on each and every date fixed by the learned trial Court.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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