

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33548 of 2025

Arising Out of PS. Case No.-293 Year-2021 Thana- BAKHARI District- Begusarai

Vikram Kumar @ Bikram Kumar, son of Girish Mahto @ Girish Kumar,
Resident of Village- Chamrahi, P.S.- Bakhri (Parihara O.P.), District-
Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate

Mr. Buddhi Lal Yadav, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No.1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-07-2025 The accused/petitioner is not named in the FIR and

is in custody since 23.10.2021.

2. It is submitted by learned counsel that on earlier occasions, the merit of this case was not considered while rejecting prayer for bail of petitioner through Cr. Misc. No.67812 of 2023 dated 13.03.2024 for the reason that out of nine charge sheeted witnesses, eight witnesses have already examined and only remaining witness i.e. investigating officer of this case was left to examine. It is submitted that since then more than one year and four months have already passed but, the aforesaid investigating officer was not examined and there is no progress in trial. It is



submitted that merely on the basis of suspicion of spy, the petitioner was named with this case. It is pointed out that similarly situated co-accused person was granted bail by this Court through Cr. Misc. No.9007 of 2022 dated 04.07.2022.

3. Besides aforesaid, it is submitted that the speedy trial is fundamental right of accused and any such delay *prima facie* suggest the violation of fundamental right *qua* speedy trial. Learned counsel for the petitioner has placed reliance on a legal report of Hon'ble Supreme Court as available through **Hussainara Khatoon & Ors vs. Home Secretary, State of Bihar** reported in **(1980) 1 SCC 98**.

4. Considering the aforesaid factual aspect, as petitioner/accused is in custody since last three years and ten months, let the petitioner above-named is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Sessions Judge-XI, Begusarai in connection with S.T. No.414 of 2022 arising out of Bakhri (Parihara O.P.) P.S. Case No.293 of 2021, subject to the conditions as laid down under Section



437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS') and with further conditions:-

(i) Accused/Petitioner shall co-operate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground of the petitioner, duly supported by the documents.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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

