

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38991 of 2025

Arising Out of PS. Case No.-293 Year-2024 Thana- HARSIDHI District- East Champaran

Shivpujan Kumar, S/o Sitaram Singh, Village- Gaighat, P.S.- Harsidhi,
District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 25-07-2025 Heard the parties.

2. The petitioner seeks regular bail, who is in custody in connection with Harsidhi P.S. Case No. 293 of 2024 (S.T. No. 494 of 2025) registered for the offences punishable under Sections 302 and 201 of the Indian Penal Code.

3. This is the second attempt made on behalf of the petitioner, as earlier the prayer for grant of bail of the petitioner stood rejected by this Court vide order dated 26.10.2024, passed in Cr. Misc. No. 60417 of 2024, taking note of the materials collected during the course of investigation, as also the recovery of one Iron Dabia from the house of the petitioner.

4. Learned Advocate for the petitioner contended that the entire case is based upon suspicion and circumstantial evidence and now the petitioner has been incarcerated since



28.05.2024 and there is no likelihood of conclusion of the trial.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the materials collected during the course of investigation, clearly suggests the complicity of the petitioner in the crime.

6. Having considered the submissions set forth and taking note of the status report of the trial, which reveals that though the charges have already been framed, but till date not even a single witness has been examined by the prosecution and, there is no likelihood of conclusion of trial in near future; all the more the petitioner has remained in custody for over a period of one year, having fair antecedent, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-2, East Champaran at Motihari in connection with Harsidhi P.S. Case No. 293 of 2024 (S.T. No. 494 of 2025), subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.



(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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