

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68977 of 2024

Arising Out of PS. Case No.-76 Year-2023 Thana- GOPALPUR District- West Champaran

Sheikh Zulfakar, S/o- Sheikh Emamul Haque, resident of Vilage - Kadmawa
PS- Gopalapur, District- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Dhananjay Kumar, Advocate
For the State : Ms. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 11-04-2025

Heard the parties.

2. This is the second attempt on behalf of the petitioner for grant of regular bail in connection with Gopalpur P.S. Case No.76 of 2023 registered for the offence under section 302/34 of the Indian Penal Code and under section 27 of the Arms Act. Earlier, the bail application of the petitioner has been rejected by this Court vide order dated 20.02.2024 passed in Criminal Miscellaneous No.9602 of 2024.

3. The petitioner is said to have assaulted the deceased and because of the same the deceased has died.

4. From the report of the Superintendent of Police, West Champaran dated 25.03.2025, it appears that not even a single witness has been examined in the trial.

5. The petitioner is in custody since



27.05.2023.

6. This Court while rejecting the bail application of the petitioner has observed in paragraph no.9 as under:-

“9. The trial court is directed to expedite the trial of the petitioner and conclude the same at the earliest. If there is no sufficient progress in the trial due to the fault of the prosecution side then the petitioner may renew his prayer for grant of bail.”

7. Considering the delay in trial as well as the period of custody of the petitioner, this bail application is allowed.

8. Let the petitioner, above named, 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 the learned Additional District & Sessions Judge, West Champaran, Bettiah, in connection with Gopalpur P.S. Case No. 76 of 2023, subject to the condition that he will cooperate in the trial and will appear personally or through his advocate on the dates fixed in the trial.

9. This is also subject to the condition that the petitioner shall mark his attendance in Gopalpur Police Station,



District- West Champaran on every Sunday of the month. Any default in appearance at the Police Station will result in cancellation of bail bonds of the petitioner.

(Sandeep Kumar, J)

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