

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71960 of 2025

Arising Out of PS. Case No.-451 Year-2023 Thana- SURSAND District- Sitamarhi

Vidyanand Kumar, aged about 22 years, Male, Son of Late Lal Bahadur Ray,
Resident of Village - Maruki, P.S.- Sursand, District – Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s	:	Ms. Dr. Indihar Kumari, APP
For the Informant	:	Mr. Santosh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

5 28-11-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with
Sursand P.S. Case No. 451 of 2023 instituted for the offences
punishable under Sections 302, 363, 201 and 120B/34 of the
Indian Penal Code.

3. Allegation against the petitioner is to have
committed murder of son of the informant.

4. From perusal of the FIR and the impugned order as
well as the report regarding the stage of trial sent by the learned
Principal District and Sessions Judge, Sitamarhi vide Letter No.
59/2025 dated 03.11.2025, it appears that this is the second
attempt for regular bail of this petitioner as his first bail
application has already been rejected by this Court in Cr. Misc.



No.5736 of 2024 vide order dated 08.04.2024, wherein this Court has observe that the learned Trial Court is directed to conclude the trial of this case within a period of one year, from the date of receipt of a copy of this order and if the trial of this case could not be concluded within specified period, then this petitioner may renew his prayer for bail before the trial Court itself.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for bail of the petitioner.

6. From perusal of the status report dated 03.11.2025, the learned trial Court has submitted that charge has been framed in this case on 07.10.2025 and all ten charge-sheet witnesses have yet to be examined. Petitioner is under custody since 18.06.2023, more than two years but no progress of trial in this case is as yet. It also appears that this is the case of last seen and there is no any eye witness of this case and FIR has been lodged after a delay of four days in this case but there is no reasonable explanation of delay in filing of FIR, so considering all these aspects of the case and submission of learned counsel for the parties, I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Principal District and Sessions Judge, Sitamarhi in connection with Sursand P.S. Case No. 451 of 2023, subject to the condition that petitioner shall remain physically present before the Trial Court on each and every date fixed by the Trial Court.

(Ramesh Chand Malviya, J)

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