

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81404 of 2024

Arising Out of PS. Case No.-635 Year-2023 Thana- KANTI District- Muzaffarpur

Md. Shakir Khan Son of Late Jahangir Khan @ Mohammad Jahangir
Resident of Village - Damodarpur Housing Board, P.S. - Kanti, District -
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 03-01-2025

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with Sessions Trial no.72 of 2024 (arising out of Kanti P.S. Case no.635 of 2023) registered under sections 307, 341, 323, 324, 380, 452, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that the petitioner assaulted her mother with a *garasa* on her head, body etc. causing grievous injuries.

4. Learned counsel for the petitioner submits that the earlier prayer for bail of the petitioner was rejected vide order dated 16.4.2024 passed in Cr. Misc. no.2254 of 2024. In spite of the petitioner being in custody since 19.8.2023 and charge having been framed on 13.2.2024, only one witness has been examined on behalf of the prosecution. As such, there is no



chance of the trial concluding in the near future. The petitioner undertakes to cooperate in the trial.

5. A report was called for from the learned trial Court. As per the report received contained in letter dated 11.12.2024, only one witness has been examined on behalf of the prosecution on 18.11.2024.

6. The application for bail is opposed by learned A.P.P. for the State.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, the petitioner being in custody for more than 1 year 4 months since 19.8.2023 and only one witness having been examined on behalf of the prosecution, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.72 of 2024 (arising out of Kanti P.S. Case no.635 of 2023) 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 Additional Sessions Judge 12th, Muzaffarpur.

(Partha Sarthy, J)

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