

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9158 of 2015

Arising Out of PS.Case No. -85 Year- 2013 Thana -BIHPUR District- BHAGALPUR

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1. Jai Kant Sharma Son of Late Bhubneshwar Sharma, Resident of Village
- Bhoju Tola, P.S. - Bihpur (Bhawanipur), District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s Mr. Uday Chandra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 08.04.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Earlier prayer for bail of the petitioner was twice rejected by
this court and directed the trial court to expedite trial of the petitioner
and try to conclude the same as early as possible, preferably within six
months.

The impugned order of learned Addl. Sessions Judge III,
Naugachia reveals that up till now, only three prosecution witnesses
could be examined, out of 11 proposed prosecution witnesses.

There is allegation against the petitioner that he caused fire
arms injury on the back of the informant but petitioner is in jail
custody since 8.4.2013 without any substantive progress in his trial
and it appears to me that there is no possibility of conclusion of trial of
the petitioner in near future.

Accordingly, petitioner is directed to be released on bail on

furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of Addl. Sessions Judge III, Naugachia District Bhagalpur in Sessions trial no. 746/2013 arising out of Bihpur (Bhawanipur) P.S. Case no. 85/2013 subject to condition that if any attempt is made by the petitioner either to tamper with the prosecution witness or to give threat to the prosecution witness, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner after due and proper enquiry.

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(Hemant Kumar Srivastava,J)

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