

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7583 of 2015

Arising Out of PS.Case No. -46 Year- 2014 Thana -MATIHANI District- BEGUSARAI

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Deepak Kumar @ Chippu Son of Hare Krishna Singh Resident of village-
Ramdiri, Nakti Tola, P.S. Matihani, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR

MANDAL

ORAL ORDER

4 06-07-2015 Heard learned counsel for the petitioner and Mr. Pandey
learned APP for the State.

The cousin uncle of the petitioner is the informant who has lodged the present case alleging that on the alleged date of occurrence the petitioner intruded into his house and tried to put rope around his neck with a view to kill him. When his niece came to rescue him she was also assaulted inasmuch as an attempt was made by the petitioner to outrage her modesty. Thereafter when his nephew came to pacify he was also assaulted by the petitioner.

From the order of the learned Sessions Judge it appears that the petitioner is facing criminal accusations of diverse nature including sections 302, 387 and 384 IPC and section 18/20 of the NDPS Act.

The contention of the petitioner is that in cases cited in paragraph 3 of this application he has been released on bail. The petitioner is languishing in jail since 17.04.2014.

Learned APP opposing the prayer points out that the petitioner has criminal antecedent. The trial has already commenced in which at least two witnesses have been examined.

Considering the facts and circumstances of the case, this Court while declining the prayer, disposes of this application by the following order:-

Let the trial court in seisin of S.T. No. 450 of 2014 endeavour to examine the remaining prosecution witnesses within six months from the date of receipt/communication of this order failing which the trial court shall release the petitioner on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each in S.T. No. 450 of 2014 on condition that one of the bailors shall be his father/brother. The petitioner shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall cancel his bail bonds.

(Kishore Kumar Mandal, J)

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