

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9426 of 2015

Arising Out of PS.Case No. -21 Year- 2010 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

1. Daya Nand Prasad Son of Bisheshwar Prasad resident of village -
Mahadipur, P.S. Islampur, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan
For the Opposite Party/s Mr. Dr. M.K. Gautam (App)

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 while rejecting prayer for bail of the petitioner vide
order dated 14.8.2013 passed in Cr. Misc. no. 11772/2013 this court
directed the trial court to conclude the trial of the petitioner within six
months from the date of order and copy of the aforesaid order was
also sent to Superintendent of Police, Nalanda through FAX so-that
Superintendent of Police could ensure presence of prosecution
witnesses but it is obvious from perusal of the impugned order of
Adhoc. Addl. Sessions Judge I, Hilsa (Nalanda) that case of the
petitioner is still pending.

Furthermore, it appears from the impugned order that case is
pending for evidence of the I.O. and doctor and it appears to me that
almost all the private witnesses including informant have already been

examined by the prosecution.

Considering the aforesaid facts and circumstances as well as the period of detention of the petitioner in jail custody, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Adhoc Addl. Sessions Judge I, Hilsa (Nalanda) in Sessions trial no. 596/2010 arising out of Islampur P.S. Case no. 21/2010 subject to the condition that one of the sureties shall be family member of the petitioner.

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(Hemant Kumar Srivastava,J)

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