

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13721 of 2015

Arising Out of PS.Case No. -14 Year- 2012 Thana -HATHAURI District- MUZAFFARPUR

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1. Baleshwar Rai S/o Mahesh Rai, Resident of village- Paramjiwar, P.S.-
Hathauri, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 21-05-2015 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State and learned counsel

appearing for the informant.

Earlier prayer for bail of the petitioner was twice
rejected by this court but admittedly, the petitioner is in jail
custody since 02-07-2012 on the accusation that he, along with
two others opened fire causing death of deceased of the present
case.

The contention on behalf of the petitioner is that having
similar allegation, one co-accused, namely Akhilesh Rai has
already been granted privilege of anticipatory bail by a coordinate
bench of this court vide order dated 26-03-2015 passed in Cr.
Misc. No. 10817 of 2015.

Learned counsel, appearing for the informant submits that

trial of the petitioner is on the verge of conclusion and almost all the prosecution witnesses, except the official witnesses have already been examined.

The impugned order dated 29-01-2015 corroborates the aforesaid fact and it appears that only some doctors have been left to be examined. Therefore, it is apparent from the aforesaid fact that all the private witnesses, including the informant have already been examined and there is no apprehension that the petitioner would terrorize the prosecution witnesses.

Accordingly, the petitioner named above, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Hathauri P.S. Case No. 14 of 2012 corresponding to Sessions Trial No. 757 of 2012 to the satisfaction of Learned Additional Sessions Judge-VI, Muzaffarpur subject to condition that the petitioner will attend the trial court, in person, on each and every date till pronouncement of judgment and if, he fails to do so, on two consecutive dates without any reasonable explanation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Hemant Kumar Srivastava, J)

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