

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11649 of 2015

Arising Out of PS.Case No. -288 Year- 2013 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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Sarvesh Kumar @ Sarvesh Kr. Singh, son of Sri Bachhu Singh, resident of
Village-Anwa, Chackdariya, P.S.-Vaishali, District-Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raghwanand, Advocate

For the Opposite Party/s : Mr. T.P.Mandal, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 25-03-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
under Sections 447, 448, 341, 393, 325, 307, 302/34 read with 34
of the Indian Penal Code.

The petitioner Sarvesh Kumar @ Sarvesh Kumar
Singh wants to renew his prayer for bail, which has already been
rejected vide order dated 11.07.2014 passed in Cr. Misc. No.
16683 of 2014 on the ground that there is specific allegation
against the petitioner. Up till now only charges have been framed
by order dated 03.03.2015 and there is no likelihood of early
conclusion of the trial. Post-mortem report also does not support
the allegation as made out in the F.I.R. During investigation the
informant is stating the manner of occurrence differently and the

petitioner is suffering in custody since 22.11.2013 and as such now he deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail.

Considering that up till now only charges have been framed on 03.03.2015, the allegation attributed is not specific and as such considering the detention of the petitioner and further that there is no chance of tampering with prosecution evidence, the above named, petitioner 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 to the satisfaction of the Court of Learned Chief Judicial Magistrate Vaishali at Hajipur in connection with Vaishali P.S. Case No. 288 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

Kamlesh

(Jitendra Mohan Sharma, J.)

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