

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13947 of 2015

Arising Out of PS.Case No. -15 Year- 2014 Thana -CHHABILAPUR District- NALANDA
(BIHARSHARIFF)

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Shivcharan Chaudhary S/o Late Somar Chaudhary Resident of Village
Tilaiya, P.S. Chabilapur, District Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

6 18-09-2015 Heard learned counsel for the petitioner as well as the
learned counsel for the State.

Petitioner was Mukhiya at the relevant time and it is
alleged that he along with one Sewak defalcated Government
money near about Rs. 48 lakhs and also manipulated official
documents. Earlier prayer for bail of the petitioner was rejected
by a Bench of this Court directing the trial court to expedite the
trial of the petitioner and to conclude the same within a period of
nine months.

It has been reported by learned trial court that the charge
against the petitioner and other accused was framed on 15.6.2015
and on 1.8.2015 one witness was examined but it has not been
mentioned by the trial court in its report as to how many witnesses
have been left to be examined. Moreover, from perusal of the
report of the trial court, it appears that there is no likelihood of
conclusion of trial of the petitioner in near future. Moreover, there
is nothing on the record to show that release of the petitioner will
hamper the trial.

Accordingly, let petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda , Bihar Sharif in Chabilapur P. S. Case no. 15 of 2014 with condition that petitioner shall attend the trial court on each and every day in person for the period of nine months or till conclusion of the trial whichever is earlier and if he fails to attend the trial court on two consecutive dates without any reasonable cause, the trial court shall be at liberty to cancel his bail bond after due and proper enquiry.

(Hemant Kumar Srivastava, J)

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