

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16441 of 2015

Arising Out of PS.Case No. -86 Year- 2012 Thana -CIVIL LINEs District- GAYA

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Suresh Kumar Verma son of Late Sheonandan Prasad, Resident of Mohalla
: - Maranpur, Brahmjoni, P.S. : - Civil Lines, District : - Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Binod Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 14-07-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has renewed his prayer for bail for the
offence punishable under Section 376 IPC in view of the
observation made by this Court vide order dated 12.10.2012.

It is submitted that earlier the petitioner has moved
this Court vide Annexure-1. The prayer for bail of the petitioner
was refused for the present and the trial Court was directed to
proceed expeditiously avoiding undue delay and adjournments and
the petitioner was given liberty to renew the prayer for bail before
the trial Court itself after examination of the victim, who may
preferably be first prosecution witness.

It is further submitted that charge against the

petitioner was framed on 27.9.2012 and, since then, on 9.9.2013 the informant has been examined as P. W. 1 and on 26.9.2013 one Geeta Devi was examined as P. W. 2, who has been declared hostile by the prosecution. Thereafter, no witness has been examined.

A report was called for from the trial Court from which it also appears the same thing and it has been reported that out of nine witnesses only two witnesses have been examined in that case.

It is also submitted that the prosecution is interested in keeping the petitioner in jail custody. Uptill now the victim has not been examined who is the grand daughter of the informant. The petitioner is above 70 years of age and has been in custody since 5.3.2012.

Learned counsel for the State could not controvert the contention of the petitioner while opposing his prayer for bail.

Considering the facts and circumstances, the above named petitioner is directed to 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 Additional District and Sessions Judge-II, Gaya/court concerned in Sessions Trial No. 352 of 2014/40 of 2015 arising out of Civil Lines P. S.

Case No. 86 of 2012 with following conditions:-

1. The petitioner will not indulge himself in similar or any other offence.
2. One of the bailors must be the close relative of the petitioner.
3. The petitioner will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, his bail bond would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

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