

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22897 of 2015

Arising Out of PS.Case No. -85 Year- 2013 Thana -KHUSRUPUR District- PATNA

1. Dharmendra Kumar son of Dashrath Sao resident of of Mohalla-
Chattipur, P.S.- Khushrupur, Disttict- Patna. Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr. Rajesh Kumar Jha

For the Opposite Party : Mr. Smt. Renu Kumari(App)

CORAM: HON'BLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 01-07-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Report from the Superintendent, Adarsh Central Jail,
Beur, Patna has been received whereunder the report submitted by
Chief Medical Officer, Adarsh Central Jail, Beur, Patna has been
attached. Photo stat copy of the case diary has also been received.

The learned counsel for the petitioner wants to renew
the prayer for bail which has already been rejected vide order
dated 15.07.2014 passed in Cri. Misc No. 17803 of 2014 on the
ground that petitioner is suffering in custody since 10.01.2014 and
the petitioner is suffering from tuberculous meningitis (T.B.M.).

He was referred to Medical Department, PMCH, Patna for special investigation and treatment. He was hospitalized there from 24.10.2014 to 04.11.2014 and after investigation, drugs for T.B.M. have been advised and at present he is hospitalized in the Jail Hospital and his health condition is poor.

Learned counsel further submits that condition of the petitioner is deteriorating day by day and as such considering his health condition, sympathetic view be taken as there is no chance of tampering with prosecution evidence. Charge-sheet has already been submitted and further the petitioner will co-operate during trial to which learned A.P.P. after going through the report submitted by Chief Medical Officer, Adarsh Central Jail, Beur, Patna, does not oppose.

In the facts and circumstances stated above, considering that the chargesheet has already been submitted and the condition of the petitioner is poor and he is going under treatment for tuberculous meningitis (T.B.M.) and as such now the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Patna City, Patna arising out of Khushrupur P.S. Case No. 85/13, 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.

(Jitendra Mohan Sharma, J)

sushma/-

U		T	
---	--	---	--