

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30865 of 2015

Arising Out of PS.Case No. -91 Year- 2013 Thana -PARWALPUR District- NALANDA
(BIHARSHARIFF)

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1. Sailendra Raut Son of Gopal Raut
2. Mukesh Kumar Son of Sailendra Raut Both resident of village -
Alawan, Police Station - Parwalpur, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Nayan

For the Opposite Party/s : Mr. Bhanu Pratap Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 12-08-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioners are in custody since 04.12.2013 in
connection with Sessions Trial No. 249 of 2014 arising out of
Parwalpur P.S. Case No. 91 of 2013 for the offence registered
under Sections 364/34 of the Indian Penal Code.

The prayer for bail of the petitioners was earlier
rejected vide order dated 16.12.2014 with an observation that
petitioners may renew their prayer for bail after six months, if
their trial is not concluded within the aforesaid period.

From perusal of the report received from the Trial
Court, it appears that the trial has not progressed.



Learned counsel for the petitioners submits that at the time of rejection of prayer for bail of the petitioners, liberty has been granted to the petitioners that if the trial of the petitioners is not concluded within six months, they may renew their prayer for bail.

Having heard learned counsel for the petitioners and learned counsel for the State, it appears that the petitioners have been implicated in the present case on the basis of statement of the wife of the victim that the victim proceeded with the petitioners for obtaining a job at Pune and thereafter he did not return. On several inquiries being made from the petitioners, it was informed that the victim would return back but till date, victim has not returned.

Learned counsel for the petitioners submits that save and except the said allegation and mere suspicion that it were the petitioners who had participated in the disappearance of the informant's husband, there is no cogent material to connect them in the alleged occurrence.

Considering the fact that long period has lapsed and the petitioners have been custody for one year and six months, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the

like amount each to the satisfaction of the Adhoc A.D.J.-II, Hilsa Nalanda in connection with Sessions Trial No. 249 of 2014 arising out of Parwalpur P.S. Case No. 91 of 2013.

However, it is made clear that petitioners will cooperate in the trial so that the trial of this case be concluded at the earliest.

(Anjana Mishra, J)

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