

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32064 of 2014

Arising Out of PS.Case No. -30 Year- 2011 Thana -EKMA District- SARAN

Mrigendra Singh son of Late Daiv Dayal Singh resident of village - Mane,
Police Station - Ekma Saran (Chapra)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr. S.M.Rahman(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 25-03-2015

Heard learned counsels for the petitioner and the
State.

On submission of learned counsel for the
petitioner, that only one witness was examined when the
charges have been framed on 02.01.2014, a report was called for
from the Superintendent of Police, Saran at Chapra vide order
dated 18.02.2015.

The report of the Superintendent of Police, Saran
at Chapra, received through memo no.787 dated 13.03.2015,
contains statement to the effect that the witnesses shall be
examined on 20.03.2015 but it is submitted by learned counsel
for the petitioner that on 20.03.2015 also not a single witness
was produced or examined.

It is alleged that while robbing the truckers, on the
order of Arbind Singh, this petitioner caused firearm injury to

Manager Rai, who was subsequently assaulted by others with the butt of the pistol when Manager Rai subsequently succumbed to the injuries.

It is submitted by learned counsel for the petitioner that the injury has been caused on the thigh. The accusation has been levelled in the background of political rivalry as Arvind Singh is a Panchayat Mukhiya and there is no accusation of repeating blow. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Earlier bail application of the petitioner was rejected vide order dated 03.07.2013 in Criminal Miscellaneous No. 15788 of 2013 with a liberty to renew his prayer for bail if the trial is not concluded within a period of one year and the petitioner is in custody since 23.01.2012.

Considering the fact that in spite of the direction of this Court neither the prosecution nor the learned court below made any effort to conclude the trial, let the above named petitioner 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 learned 1st Additional Sessions Judge, Saran at Chapra in Sessions Trial No. 256 of 2013 arising out of Ekma P.S. Case No. 30 of 2011, subject to condition to

remain physically present before the court below on each and every date till conclusion of the trial and in case of default on two consecutive dates without giving any reasonable explanation, learned trial Court will be at liberty to cancel the bail bonds.

Ashwini/-

(Dinesh Kumar Singh, J)

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