

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33407 of 2015

Arising Out of PS.Case No. -185 Year- 2005 Thana -RANIGANJ District- ARRARIA

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1. Prakash Paswan Son of Late Babulal Paswan Resident of Village -
Simraha Paswa Tola, P.S.- Simraha, District - Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Adv.

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 09-09-2015 Heard learned counsel for the parties.

The petitioner is in custody in connection with Sessions Trial No.1408 of 2013 arising from Raniganj P.S. Case No.185 of 2005. Although the case was instituted for offences punishable under Sections 304B, 201/34 of the Indian Penal Code but the chargesheet has been submitted under section 302, 201/34 of the Indian Penal Code.

The prayer of this petitioner was earlier rejected in Cr.Misc.No.24937 of 2013 and Cr. Misc. Case No.38684 of 2014 and has been renewed in the present application.

Mr. Anil Prasad Singh, learned counsel for the petitioner with reference to the order passed by this Court on the last occasion submits that liberty had been granted to the petitioner to

renew his prayer should the trial be not concluded within six months. A report was called for from the trial court and it is reported that yet six prosecution witnesses are to be examined.

Having heard learned counsel for the parties and considering the circumstances taken note of, let the petitioner namely, Prakash Paswan be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Adhoc Addl. Sessions Judge-IV, Araria in connection with Sessions Trial No.1408 of 2013 arising from Raniganj P.S. Case No.185 of 2005 subject to the condition that the petitioner shall ensure his representation before the trial court on each and every date fixed in the trial and failure on the part of the petitioner to ensure his representation on two consecutive dates fixed without reasonable explanation to the satisfaction of the trial court, would entitle the Court concerned to cancel the bail bond of the petitioner and to take him into custody.

Bibhash/-

(Jyoti Saran, J)

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