

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34154 of 2015

Arising Out of PS.Case No. -80 Year- 2011 Thana -MUSAHRI District- MUZAFFARPUR

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1. Sujeet Kumar Son of Mulhai Paswan @ Mulhai resident of village -
Sahpur, P.O. Bishambharpur, Police Station - Kanti, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Nawal Kishore Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 10-11-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Musahari
P.S. Case No. 80 of 2011 registered for the offence punishable
under Sections 302, 201, 376, 120B of the Indian Penal Code.

Earlier prayer for bail of the petitioner was rejected
vide order dated 10.09.2012 passed in Cr. Misc. No. 17586 of
2012 and now he wants to renew his prayer for bail on the ground
of observation made in the said order. It has been submitted that
the sister of the deceased has already been examined as PW 5 and
the trial is not likely to be concluded in near future and as such the
petitioner deserves sympathetic consideration as he is not named
in the FIR. It is also submitted that co-accused Pinki Devi has

already been released on bail and the petitioner is suffering in custody since 15.07.2011.

Learned APP fairly submits that considering the detention of the petitioner now lenient view can be taken.

In the facts and circumstances stated above, considering that trial is not likely to be concluded in near future and further considering the period of detention, the petitioner above named 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 learned 6th Additional Sessions Judge, Muzaffarpur in Sessions Trial No. 608 of 2011 arising out of Musahari P.S. Case No. 80 of 2011, 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)

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