

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38943 of 2015

Arising Out of PS.Case No. -156 Year- 2013 Thana -AURAI District- MUZAFFARPUR

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1. Vijay Sah S/o Sri Eqwal Sah Resident of Village Ramnagara, P.S. Saidpur, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jyotsna Rani Mishra

For the Opposite Party/s : Mr. Khurshid Anwar (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 16-12-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Earlier, prayer for bail of the petitioner was rejected by this court vide order dated 23-09-2014 passed in Cr. Misc. No. 25814 of 2014 but submission on behalf of the petitioner is that having similar allegation, several co-accused persons namely, Sunil Rai @ Sunil Kumar, Udai Rai, Ram Uday Kumar and Santosh Kumar have already been granted privilege of bail by different benches of this court. It is further contended by him that the statement of victim has been recorded u/S 164 of the Cr.P.C. but he did not name the petitioner rather the victim named Sunil Rai and the aforesaid Sunil Rai has already been granted privilege of bail.

Learned trial court has reported that out of 9 proposed prosecution witnesses, only two prosecution witnesses could be examined in this case.

Considering the above-said facts and circumstances of the case as well as submission of the parties and with intent to maintain parity of justice, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Aurai P.S. Case No. 156 of 2013 corresponding to Sessions Trial No. 83 of 2014 to the satisfaction of learned Ad hoc Additional District & Sessions Judge-IIInd, Muzaffarpur.

(Hemant Kumar Srivastava, J)

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