

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40378 of 2015

Arising Out of PS.Case No. -50 Year- 2014 Thana -JALALPUR District- SARAN

Jai Prakash Rai @ Churi Rai @ Churi, S/o Kailash Rai, resident fo village-Bajipur, P.S.-Chapra Muffasil, District-Saran at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mrs. Rajani Kumari, Advocate

For the Opposite Party/s : Mr. Manish Kumar 2, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 26-08-2015

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in connection with Jalalpur P.S. Case No. 50 of 2014 registered under Sections 399, 402 of the Indian Penal Code and 25(1-B)a, 26 and 35 of the Arms Act.

The prayer for bail of the petitioner was earlier rejected vide order dated 10.09.2014 passed in Cr. Misc. No. 35969 of 2014 with following observation:-

“The learned Chief Judicial Magistrate, Saran at Chapra is directed to expedite the trial and conclude the same as early as possible preferably within nine months from the date

of receipt/production of a copy of this order failing which the petitioner would be entitled to renew his prayer for bail.”

It is contended that though the petitioner is in custody since 12th May, 2014, till date no witness has been examined in this case.

Regard being had to the observation made in the aforesaid order dated 10.09.2014, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Jalalpur P.S. Case No. 50 of 2014.

(Ashwani Kumar Singh, J.)

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