

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52920 of 2015

Arising Out of PS.Case No. -82 Year- 2013 Thana -PATNA Rail CASE District- PATNA

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1. Mahesh Kumar S/o Sri Bhola Saw R/o Village - Masudchak, P.S. Bardh,
District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Jyoti

For the Opposite Party/s : Mr. Yogendra Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 16-12-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner wants to renew the prayer of bail which was earlier rejected vide order dated 03.12.2014, passed in Cri. Misc. No. 44646/14 on the ground that the petitioner is in custody since 24.04.2014 and up till now charge has not been framed against the petitioner and trial is not likely to be concluded and there is no chance of tampering with the prosecution evidence and, as such, the petitioner deserves sympathetic consideration as other co-accused have been allowed bail.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner is husband.

In the facts and circumstances stated above, considering

the detention of the petitioner and further that in near future, trial is not likely to be concluded and there is no chance of tampering with the prosecution evidence and further there is nothing on record to show that the petitioner after release will influence the trial in any way and, as such, 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 the Learned Adhoc Sessions Judge, 6th, Patna arising out of Patna Rail P.S. Case No. 82 of 2013 subject to the conditions that one of the bailors must be 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.

sushma/-

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(Jitendra Mohan Sharma, J)