

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46710 of 2014

Arising Out of PS.Case No. -39 Year- 2013 Thana -AGIAUN BAZAR District- BHOJPUR

Munna Ram, Son of Misri Ram, Resident of village-Amehata, P.S.- Agion Bazar, District- Bhojpur at Ara Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr. Mithilesh Kumar Rai, Advocate
For the Informant : Mr. Damodar Prasad Tiway, APP
Mr. Braj Bhushan Mishra, Advocate
For the State : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 21-01-2015 Heard learned counsel for the petitioner, learned counsel for the State as well as learned counsel appearing on behalf of the informant.

The petitioner seeks bail in Sessions Trial No. 450 of 2013 arising out of Agion Bazar P.S. Case No. 39 of 2013 in which he is facing trial for the charge under Section 396 of the Indian Penal Code. The prayer for bail of the petitioner was earlier rejected by this Court on 19.03.2014 in Cr. Misc. No. 48561 of 2013.

It has been contended that since the date of rejection of bail, the prosecution could examine only one witness in course of trial. It has also been submitted that co-accused Chhedi Paswan whose case is identically situated to that of the petitioner has already been granted bail by a Bench of this Court

on 24th April, 2014 in Cr. Misc. No. 10434 of 2014 and co-accused Manu Ram and Sidhu Paswan @ Sidhu Ram having more or less similar allegation to that of the petitioner have already been granted bail by a Bench of this Court in Cr. Misc. Nos. 41704 of 2013 and 43775 of 2013 respectively.

Learned counsel for the informant has opposed the prayer for bail. He submits that it is a serious case and though some of the co-accused persons have been granted bail, the petitioner does not deserve to be released on bail. He further submits that the informant would take all possible steps in order to examine its witnesses in course of trial.

Be that as it may, having regard to the facts and circumstances of the case, the petitioner, who is in custody since 24th May, 2013, 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 *Ad hoc* Additional Sessions Judge-7th, Bhojpur at Ara in S. Tr. No. 450 of 2013 arising out of Agion Bazar P.S. Case No. 39 of 2013 subject to the condition that one of the sureties must be a close relative

(Ashwani Kumar Singh, J.)

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