

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50803 of 2014

Arising Out of PS.Case No. -252 Year- 2012 Thana -DESARI District- VAISHALI(HAJIPUR)

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Lal Babu Rai S/o Bhajan Rai, Resident of village- Khajbhatti, P.S -
Bidupur, Distt. -Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. S.Dayal (APP)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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3 29-04-2015 Heard learned counsel for the petitioner and Sri

S.Dayal, learned Addl. Public Prosecutor.

This is the 3rd attempt for grant of bail on behalf of the petitioner in connection with Deshri P.S. Case No.252 of 2012 registered for the offence under Sections 147,148,149, 342 and 302 of the Indian Penal Code and 27 of the Arms Act. Earlier, by order dated 08.10.2013, on merit, the prayer for bail of the petitioner was rejected. Thereafter, again he filed bail petition, which too stood dismissed on 02.04.2014.

In this case, by order dated 18.03.2015 a report was called for regarding stage of the case, which has been received. The report suggests that only in the month of March, 2015, charge has been framed and summons were directed to be issued for

securing attendance of prosecution witnesses. Fact remains that the petitioner is in custody since 04.11.2012 and, as such, in view of casual approach adopted by the prosecution, the Court is of the opinion that the petitioner may not be detained in custody for an indefinite period. Accordingly, let the petitioner, namely, Lal Babu Rai be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in Deshri P.S. Case No.252 of 2012 on the conditions that (i) one of the bailors must be blood relation of the petitioner and (ii) before the trial court on each and every date the petitioner shall remain physically present. If continuously on two dates, the petitioner remains absent without prior permission of the trial court, his bail bond shall stand automatically cancelled.

(Rakesh Kumar, J)

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