

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32044 of 2015

Arising Out of PS.Case No. -266 Year- 2013 Thana -GARDANIBAGH District- PATNA

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Pappu Kumar @ Arun Kumar Son of Late Ramdeo Rai, Resident of
Mohalla New Jakkanpur, Sheo Mandir, P.S. - Gardanibagh, District - Patna.
.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh
Mr. Avinash Shekhar
Ms. Tulika Singh

For the Opposite Party/s : Mr. M.Dayal, APP

For the Informant : Mr. Vijay Kr. Sinha

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 14-10-2015 Heard the parties including the learned counsel
appearing on behalf of the informant.

The prayer for bail of the petitioner in connection with a criminal prosecution registered under Section 304B/34 of the Indian Penal Code was earlier rejected by order dated 22.09.2014 passed in Cr. Misc. No. 23178 of 2014 with a direction to the learned trial court to expedite the trial of the petitioner and make all endeavours to conclude the same within a period of nine months from the date of receipt/production of a copy of the aforesaid order. It was further observed that if the trial of the petitioner is not concluded within the aforesaid period of nine months, then he shall be at liberty to renew his prayer for bail.

Learned counsel appearing on behalf of the petitioner submits that though the petitioner is in judicial custody since 13.08.2013 and more than one year has elapsed from the date of aforesaid last order dated 22.09.2014 (Annexure-1), yet trial of the petitioner has not been concluded till date.

Learned Additional Public Prosecutor appearing on behalf of the State and the learned counsel appearing on behalf of the informant though have opposed the prayer for bail, but have not been able to dispute the aforesaid submission.

In the aforesaid facts and circumstances particularly taking into consideration the period of incarceration as also the observations made by this Court by order dated 22.09.2014 (Annexure-1), the prayer for bail is allowed. The petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned Incharge Adhoc Additional Sessions Judge, 4th Patna, in connection with S.T. No. 49 of 2014 arising out of Gardanibagh P.S. Case No. 266 of 2013, subject to the further conditions that:

- (A) Both the bailors shall be the Government servants, and,
- (B) the petitioner shall appear before the learned trial court in person on each and every date fixed, failing which the learned trial court shall be at liberty to cancel his bail bond in accordance with law.

(Birendra Prasad Verma, J)

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