

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53007 of 2013

Arising Out of PS.Case No. -101 Year- 2011 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

Bigan Das @ Bigan Ji Son Of Lakshman Das Resident Of Village -
Champapur, P.S. Patahi, District - East Champaran

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. J.N. Thakur (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

05/ 25-03-2015

Heard learned counsels for the petitioner and
the State.

The petitioner has renewed his prayer for bail
in a case registered for the offences punishable under Sections
147, 148, 149, 302, 323, 341, 379, 506 of the Indian Penal Code,
27 of the Arms Act and 17 of Criminal Law Amendment Act.
Petitioner is languishing in custody since 29.11.2012.

One doctor was being dragged by 15-20
persons variously armed and subsequently his dead body was
found in a field with firearm injuries. The petitioner was not
named in the FIR. His name subsequently sprang up in the

confession of the co-accused.

Earlier prayer for bail of the petitioner was rejected for the present on the ground that the petitioner is involved in five other cases apart from the present one.

Report was called for from the learned trial court. The report dated 20.05.2014 of learned I/C 5th Additional Sessions Judge, Motihari, East Champaran suggests that still the charge has not been framed. Other co-accused persons have been granted bail vide Cr. Misc. Nos. 47623, 18127, 37875, 30572, 26278, 28872, 17005 and 13398 of 2012 as stipulated in paragraph 13 of the petition.

Considering the earlier observation, period under custody and the report of the learned trial court which suggests that there is no likelihood of conclusion of trial in near future, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Sikrahana at Motihari, East Champaran in connection with Pakarideyal P.S. Case No. 101 of 2011.

Considering the criminal antecedent of the petitioner, the learned court below will be at liberty to cancel the

bail bonds of the petitioner, if he substantially gets involved in some serious nature of the offence or defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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