

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49146 of 2015

Arising Out of PS.Case No. -364 Year- 2013 Thana -KOTWALI District- PATNA

Chotu Kumar @ Chotu @ Raushan @ Rimal, son of Nawal Kishore Prasad, resident of Chandmari Gali No.1, P.S.- Kankarbagh District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Advocate

For the Opposite Party/s : Smt. Anuradha Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 04-11-2015

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in connection with Kotwali P.S. Case No. 364/2013 registered under Section 392 of the Indian Penal Code. However, subsequently, charge-sheet was submitted under Section 395 and 412 of the Indian Penal Code pursuant to which the case was committed to the Court of Sessions for trial.

The prayer for bail of the petitioner was earlier rejected by this Court with following observations:-

“It is submitted at this stage that the case has already been committed to the court of sessions.

In that view of the matter, if the trial is not concluded within nine months from the date of framing of charge, the petitioner would be at liberty to renew his prayer for bail.”

It is contended that the petitioner is in custody since 8th July, 2013, the charges were framed in the case on 11.12.2014 but, till date, no witness has been examined on behalf of the prosecution. It is further contended that similarly circumstanced co-accused Kundan Kumar Pandey and Raju Kumar have already been granted bail by different orders passed by different Benches of this Court.

Regard being had to the facts and circumstances of the case, the petitioner 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 Additional Sessions Judge-5th, Patna in connection with S.Tr. No. 333/2014/8412/2014 arising out of Kotwali P.S. Case No. 364/13.

(Ashwani Kumar Singh, J.)

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