

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39030 of 2015

Arising Out of PS.Case No. -182 Year- 2014 Thana -NAUBATPUR District- PATNA

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Sunil Rai S/o Ramdeo Rai, Resident of Village Gadaipur, P.S. Naubatpur,
District Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5, Advocate

For the Opposite Party/s : Mr. Prem Kr.Jha, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 07-10-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Naubatpur
P. S. Case No. 182 of 2014 registered under Sections 341, 323,
337, 324, 307, 302 & 34 of the Indian Penal Code.

The prayer for bail of the petitioner was earlier rejected
by this Court on merit, vide order dated 27.11.2014.

It is contended that two other co-accused, namely, Sadhu
Rai and Tuntun Rai against whom there is identical allegation to
that of the petitioner, have already been granted bail by a Bench of
this Court. It is further contended that the petitioner is a patient of
AIDS and earlier he was undergoing treatment in AIIMS, New
Delhi for Antiretroviral Treatment. When the facility of

Antiretroviral Treatment started in PMCH, he is being regularly taken to PMCH for treatment under orders of the trial Court. It is further contended that the serious nature of ailment requires special attention, which is not available inside the jail. It is further contended that though the petitioner is in custody since 28.6.2014, the charges have not been framed till date.

Learned counsel for the informant has vehemently opposed the prayer for bail.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Kumar Madhvendra learned Judicial Magistrate, 1st Class, Danapur in Naubatpur P. S. Case No. 182 of 2014, G. R. No. 1199 of 2014.

(Ashwani Kumar Singh, J.)

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