

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21017 of 2015

Arising Out of PS.Case No. -39 Year- 2014 Thana -BAUNSI District- BANKA

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Brajesh Kumar Mishra @ Brajesh Kumar Son of Krishna Nand Mishra,
Resident of Village - Bishambhar Chak, P.S. - Amarpur, District - Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary

For the Opposite Party/s : Mr. Braj Kishore Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 09-07-2015 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is an accused of the offence punishable under section 377 IPC and is in custody since 23.02.2014. The victim boy it appears has supported the allegation in his statement recorded under section 164 Cr. P.C. From the impugned order it appears that the trial is underway and some witnesses have already been examined.

Learned counsel for the petitioner points out that several witnesses including the informant turned hostile and not supported the prosecution case.

Considering the allegation and material available on record, this Court while declining the prayer of the petitioner,

disposes of the application by the following order:-

Let the trial court endeavour to conclude the examination of the prosecution witnesses within four months from the date of receipt/production of a copy of this order failing which the trial court shall release the petitioner on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to its satisfaction in Baunsi P.S. Case No. 39 of 2014 (G.R. No. 330/2014) on condition that one of the bailors shall be own/close family member of the petitioner. In case of grant of bail the petitioner will appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall cancel the bail bonds of the petitioner.

(Kishore Kumar Mandal, J)

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