

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24097 of 2015

Arising Out of PS.Case No. -128 Year- 2013 Thana -BHORE District- GOPALGANJ

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1. Kaddir Ansari @ Kadir Ansari @ Abdul Kadir @ Abdul Kaddir Son of Shamim Ansari resident of village - Chakarwa Khass Tola - Kukur Bhuka, P.S. Bhorey, District - Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Manish Kumar No.2(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 24-06-2015

Heard both the learned counsels.

The petitioner wants to renew his prayer for bail which has already been rejected by order dated 27.05.2014 in Cr. Misc. No. 17173 of 2014 on the ground that the petitioner is suffering in custody since 03.02.2014 and during trial the informant has not supported the prosecution version rather she had categorically stated that when her daughter was cooking food she was burnt and died. She has also stated that her husband and in-laws used to keep her with all comfort and she was never tortured. It is also submitted that there is no chance of tampering with the prosecution evidence and now keeping the petitioner in custody will be wasting of time and money.

In the facts and circumstances as stated above, considering Annexure-3 which is the Photostat copy of the deposition of the informant in Sessions Trial No. 444 of 2014 wherein she has not supported the prosecution version and has stated regarding innocence of the petitioner and as such the petitioner now is directed to be released on bail on executing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional District & Sessions Judge-V, Gopalganj in connection with Sessions Trial No. 444 of 2014 arising out of Bhorey P.S. Case No. 128 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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