

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32614 of 2015

Arising Out of PS.Case No. -35 Year- 2013 Thana -BUDDHACOLONY District- PATNA

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Rahul Kumar Paswan @ Rahul Paswan @ Rahul Kumar @ Bablu Kumar
son of Ram Awatar Ram, R/o Village- Kateya Post + P.S.- Bihiya, District-
Bhojpur (Bihar)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Siddharth Harsh

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 26-08-2015 Heard Sri Siddharth Harsh, learned counsel for the

petitioner and learned Addl. Public Prosecutor.

This is the 3rd attempt for grant of bail on behalf of the
petitioner in connection with Sessions Trial no.1210 of 2013
arising out of Buddha Colony P.S. Case no.35 of 2013 registered
for the offence under Section 364A of the Indian Penal Code.
Earlier, by order dated 29.07.2015, a report was called for from
the trial court regarding stage of the case, which has been received
and kept at Flag-A. The report indicates that in this case on
21.10.2013 charge was framed under Section 364(A) of the Indian
Penal Code. In the case, there are eleven chargesheeted witnesses,
however despite issuance of summons andailable warrant till
date none of the witnesses have been produced. The petitioner is

in custody since 14.03.2013.

In view of the fact that even after framing of charge, till date prosecution has not produced any witness, the Court is of the opinion that in such cases, the petitioner may not be allowed to continue in custody for further period. Accordingly, let the petitioner, Rahul Kumar Paswan @ Rahul Paswan @ Rahul Kumar @ Bablu Kumar be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Adhoc Addl. District & Sessions Judge Vith , Patna in connection with S.T. No.1210 of 2013 arising out of Budha Colony P.S. Case no.35 of 2013 on conditions that (i) one of the bailors must be blood relation of the petitioner and (ii) on each and every date, during trial the petitioner shall remain physically present in the court below. If continuously on two dates without prior permission of the trial court, the petitioner remains absent, his bail bond shall stand automatically cancelled.

NKS/-

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(Rakesh Kumar, J)