

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14387 of 2015

Arising Out of PS.Case No. -187 Year- 2010 Thana -GAYGHAT District- MUZAFFARPUR

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1. Baidyanath Rai @ Nanki Rai Son of Sri Hatai Rai resident of village - Jaganiya, P.S. Gaighat, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhusudan Kumar

For the Opposite Party/s : Mr. Dilip Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 24-06-2015 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is languishing in jail custody since 21-12-2010 in connection with Sessions Trial No. 40 of 2011 arising out of Gaighat P.S. Case No. 187 of 2010.

No doubt, the petitioner is said to be assailant and earlier his prayer for bail was twice rejected by this court but the report of learned Additional Sessions Judg-VII, Muzaffarpur reveals that out of 7 charge sheet witnesses, uptill now, three prosecution witnesses could be examined and the case is still pending for recording the deposition of remaining charge sheet witnesses for which, requisites had already been sent to Senior Superintendent of Police, Muzaffarpur, so that the attendance of remaining

prosecution witnesses could be procured.

Paragraph-3 of this petition reveals that the petitioner does not have any criminal antecedent and for the first time, the petitioner was made accused in the present case.

Considering the long detention of the petitioner in jail custody as well as pace of his trial, I direct the petitioner to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Sessions Trial No. 40 of 2011 arising out of Gaighat P.S. Case No. 187 of 2010 to the satisfaction of learned Additional Sessions Judge-VII, Muzaffarpur subject to condition that the petitioner shall attend the trial court, in person, on each and every date for the period of 6 months or till conclusion of the trial whichever is earlier and if, he fails to do so, on two consecutive dates without any reasonable cause, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

A.K.V./-

(Hemant Kumar Srivastava, J)

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