

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30302 of 2015

Arising Out of PS.Case No. -252 Year- 2012 Thana -DESARI District- VAISHALI(HAJIPUR)

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1. Bhagdeo Rai Son of Jalandhar Rai resident of Village- Khajbatti, p.s Bidupur, Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s Mr. Ram Bachan Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 14.10.2015 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner is in jail custody since 13.10.2012 in a case registered under section 302 and other minor sections of the Indian Penal Code as well as section 27 of the Arms Act.

Earlier prayer for bail of the petitioner was twice rejected by this court and it is the third attempt of the petitioner on the ground that having similar allegation co-accused Lal Babu Rai has already been granted privilege of bail by a coordinate bench of this court vide order dated 29.4.2015 passed in Cr. Misc. no. 50803/2014.

Trial court has reported that due to non-production of the petitioner from Beur jail, Patna, charge could not be framed against the petitioner and the case is pending for production of the petitioner as well as for framing of the charge.

Learned counsel for the petitioner points out that case of co-

accused Lal Babu Rai is on similar footing to the case of the petitioner.

Considering the above stated facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge II, Vaishali at Hajipur in Sessions Trial no. 376A/2014 arising out of Deshari P.S. Case no. 252/2012 subject to the condition that petitioner shall attend the learned trial court in person on each and every date for the period of nine months or till conclusion of his trial whichever is earlier and if he fails to do so on two consecutive dates without any reasonable explanation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

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(Hemant Kumar Srivastava,J)

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