

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34130 of 2014

Arising Out of PS.Case No. -72 Year- 2009 Thana -NAUHATTA District- SAHARSA

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1. Kamleshwari Mukhiya @ Kamlu Mukhiya @ Kamal Mukhiya Son of Anandi Mukhiya Resident of Village- Chhotki Bhelahi, P.S. Nauhatta, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Chandra Bhushan Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 22-01-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 19.04.2014 but petitioner is not assailant and there is only allegation that he opened fire in air for terrorizing the informant and others. No doubt the alleged occurrence took place in the year 2009 and the petitioner could be remanded in the year 2014, but taking note of the allegation leveled against the petitioner as well as period of detention in jail custody coupled with this aspect of the matter that petitioner does not have any criminal antecedent.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the above named

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 Adhoc Additional Sessions Judge-II, Saharsa in connection with Session trial no. 2291 of 2014, arising out of Nauhatta P.S.Case No. 72 of 2009, subject to the condition that he shall appear before the trial court on each and every date in person, for period of nine months or till conclusion of his trial which ever 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.

(Hemant Kumar Srivastava, J)

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