

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45264 of 2014

Arising Out of PS.Case No. -405 Year- 2011 Thana -KHAZANIHAT District- PURNIA

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1. Pulkit Rishi son of Deo Muni Rishi @ Debu Rishi Resident of Village -
 Baniyapatti, P.S. K. Nagar, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s Mr. C. Jawahar (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 01.04.2015

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

Petitioner is in jail custody since 23.1.2012 in connection
 with Sessions Trial no. 524/2012 arising out of K. Hat (Maranga) P.S.
 case no.405/2011.

Earlier prayer for bail of the petitioner was twice rejected by
 this court and while rejecting prayer for bail of the petitioner on
 5.2.2014 passed in Cr. Misc. no. 4102/2014 this court directed the trial
 court to expedite and conclude the trial of the petitioner as early as
 possible but learned trial court vide letter no. 41 dated 12.2.2014 has
 reported that up till only two prosecution witnesses could be examined
 though seven prosecution witnesses have been shown in charge sheet.
 The learned trial court has sought three months' time to conclude the
 trial of the petitioner.

It would appear from perusal of the report of the learned

trial court that up till now, informant could not be examined and two witnesses examined on behalf of the prosecution turned hostile which is evident from annexure 4 series of this petition.

No doubt, there is allegation against the petitioner that he shot fire on the deceased but no person can be detained in jail custody without sufficient progress in his trial. It is informed on behalf of the petitioner that last witness was examined by the prosecution on 22.10.2013 and after that no prosecution witness could be examined.

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 Adhoc. Addl. Sessions Judge VIII, Purnea in Sessions Trial no. 524/2012 arising out of K. Hat (Maranga) P.S. case no.405/2011 subject to the conditions 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 cause or makes any attempt to tamper with the prosecution evidence, 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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