

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37540 of 2015

Arising Out of PS.Case No. -81 Year- 2013 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Lal Babu Mukhiya @ Lal Babu Sahani S/o Ganesh Mukhia R/o Village -
Madhubani Ghat, P.S. - Motihari Muffasil, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishore Prasad

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 04-11-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Earlier prayer for bail of the petitioner was rejected by
this court directing the trial court to expedite the trial of the
petitioner but it is painful for me that still not a single prosecution
witness could be examined in this case, particularly, in the
circumstances, when the petitioner is in jail custody since 22-03-
2013.

No doubt, petitioner is said to have been identified by
the witnesses in Test Identification Parade but submission on
behalf of the petitioner is that the aforesaid test identification
parade was held after a long gap and so far as recovery is
concerned; no looted article was recovered from possession of the

petitioner and only articles of daily uses were recovered from conscious possession of the petitioner.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, 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 Chiraiya P.S. Case No. 81 of 2013 corresponding to Sessions Trial No. 77 of 2015 to the satisfaction of learned Additional District & Sessions Judge-XI, Motihari, East Champaran subject to condition that one of the sureties must be close relative of the petitioner, who shall file an affidavit before the trial court, disclosing as to how he is related with the petitioner.

(Hemant Kumar Srivastava, J)

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