

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37999 of 2014

Arising Out of PS.Case No. -96 Year- 2013 Thana -KUDRA District- BHABHUA (KAIMUR)

1. Chandan Kumar S/o Late Sharda Kharwar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Sharma

For the Opposite Party/s : Mr. Veena Rani Pd.(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 24-03-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Earlier the prayer for bail of the petitioner was rejected by this court vide order dated 21.11.2013 passed in Cr. Misc. No. 42770 of 2013 but submission on behalf of the petitioner is that petitioner is in jail custody since 27.06.2013 and up till now his trial could not be concluded.

The learned trial court has sent report mentioning this fact that the trial of the petitioner is pending for want of prosecution evidence.

The trial court has submitted a vague report and it has not been mentioned as to how many witnesses have been examined and how many witnesses have been left to be examined.

Learned counsel appearing for the petitioner submits that the victim was major at the time of alleged occurrence and as a matter of fact, she was a consenting party and when she returned to her home, she was tutored by her parents.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also keeping in mind the stage of trial of the petitioner, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VI, Kaimur at Bhabua in connection with Kudra P.S. Case No. 96 of 2013 corresponding to Sessions Trial No. 328 of 2013/104 of 2014 subject to condition that he shall attend the trial court on each and every date in person for the period of six months or till conclusion of his trial whichever is earlier and if he fails to do so on two consecutive dates without any genuine cause, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner and furthermore, he shall not tamper with the prosecution evidence.

(Hemant Kumar Srivastava, J)

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