

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29602 of 2015

Arising Out of PS.Case No. -108 Year- 2014 Thana -CHARIABARIYARPUR District-
BEGUSARAI

- =====
1. Dilip Yadav @ Dileep Yadav Son of Ramdaresh Yadav Resident of Village- Sonbarsha, P.S.- Cheriabariyarpur, District- Begusarai.
2. Rajnish Paswan @ Fantus S/o Ram Naresh Paswan R/o Village - Gopalpur, Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Amit Kumar Rakesh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 14-12-2015 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners seek bail in connection with Cheriabariyarpur P.S. Case No. 108 of 2014 registered for the offence punishable under Section 392 of the Indian Penal Code.

Earlier prayer for bail of the petitioners was rejected vide order dated 21.01.2015 passed in Cr. Misc. No. 40192 and 41210 of 2014 and now the petitioners have renewed their prayer for bail in the light of observation given therein.

It is submitted that from the report of the trial court it reveals that only two prosecution witnesses have been examined

and both have been declared hostile and the court is now vacant and as such in near future trial is not likely to be concluded and they are suffering in custody since 19.06.2014.

Learned APP does not oppose the prayer of bail in view of the observation.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Begusarai in connection with Cheriabariyarpur P.S. Case No. 108 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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