

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4786 of 2016

Arising Out of PS.Case No. -31 Year- 2014 Thana -BARIYARPUR District- MUNGER

Md. Jadruddin, Son of Md. Jammu @ Jammu, Resident of Village -
Bardah, Police Station - Muffasil, District - Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 02-03-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with S.T.
No. 605 of 2014 arising out of Bariyarpur P.S. Case No. 31 of
2014 registered under Sections 25(1-AA), 25(1-B)a, 25(1-C)A,
26(1)(2) and (3) as well as 35 of the Arms Act.

It is contended that the prayer for bail of the
petitioner has twice been rejected by this Court on merits.
However, an observation was made by the Court to expedite the
trial and conclude the same as early as possible, but till date, the
trial has not been completed. It is further contended that the last

witness was examined by the court below on 22.08.2015 and, thereafter, no witness has come forward to depose before the court.

A report summoned from the trial court regarding stage of trial has also been received. It would be apparent from the record that out of the six witnesses, four have been examined so far and to procure the attendance of the remaining witnesses, non-bailable warrant has been issued by the court through the Superintendent of Police, Munger.

Regard being had to the facts and circumstances of the case, the petitioner, who is in custody since 09.03.2014, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-5th, Munger in connection with S.T. No. 605 of 2014 arising out of Bariyarpur P.S. Case No. 31 of 2014 subject to the following conditions that:-

- (a) The petitioner shall not influence the witnesses or tamper with any document;
- (b) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court;

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- (c) the petitioner shall not do any act prejudicial to the interest of the prosecution;
 - (d) the petitioner shall abide by the above conditions scrupulously and in case of violation of any of the conditions, the prosecution would be at liberty to move this Court for cancellation of bail; and
 - (e) One of the sureties must be a close relative of the petitioner and the other one shall be a Government servant/elected people's representative of Panchayat/ Municipality.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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