

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7082 of 2016

Arising Out of PS.Case No. -261 Year- 2012 Thana -PHULWARI District- PATNA

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1. Akbar Ali @ Mantu @ Manta, S/o Late Md. Ashraf Ali, Resident of
Mohalla- Khan Mirza, P.S.- Sultanganj, District- Patna..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Ajay Kr. Jha (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 03-03-2016

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

Petitioner seeks bail in connection with Phulwarisharif P.S.
Case No. 261 of 2012 registered for the offences punishable under
Sections 302, 120B/34 of the Indian Penal Code and Section 27 of the
Arms Act.

Earlier the petitioner was granted bail vide order dated
01.10.2013 passed in Cr.Misc. No. 21602 of 2013 on a submission
made by learned counsel for the petitioner that the petitioner has got no
criminal antecedent and when this fact was verified by learned court
below it was found that against the petitioner there were at least five
other criminal cases, resulting, he was refused to be released.
Thereafter, the petitioner again renewed his prayer of bail vide Cr.Misc.
No. 36995 of 2014 which was not allowed by order dated 08.07.2015
and now the petitioner wants to renew again his prayer of bail on the
ground that now the petitioner has remained in custody since

19.11.2012 and has sufficiently been penalized for his no fault as the fault was on the part of the learned counsel of the petitioner who is now no more. Further it is submitted that in this case other co-accused Md. Sonu and Md. Ajmeri have been allowed bail as in near future the trial is not likely to be concluded.

In the facts and circumstances stated above, considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge X, Patna in S. Tr.No. 710 of 2013 arising out of Phulwarisharif P.S. Case No. 261 of 2012, 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 petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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