

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10588 of 2016

Arising Out of PS.Case No. -23 Year- 2012 Thana -PATNA CITY CHOWK District- PATNA

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1. Jai Sahani @ Jai Chania Son of Rajendra Sahani, a resident of Ambedkar Colony, Police Station - Sultanganj, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Ajay Kumar 1 (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 08-03-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 13.04.2012 in a case registered under Sections 399 and 402 of the Indian Penal Code and 25(1-B) A, 26, 35 of the Arms Act.

Earlier, the prayer for bail of the petitioner twice rejected by this Court but while rejecting the prayer for bail of the petitioner, this Court directed the trial court to conclude the trial of the petitioner within one year but the trial court could not succeed to comply with the order of this Court. The impugned order dated 28.01.2016 reveals that the trial court failed to conclude the trial of the petitioner as some co-accused were absconder. Moreover, it has been revealed at para-9 of the petition that charge has already

been framed but up till now, not a single prosecution witness was examined.

No doubt, petitioner carries criminal antecedent of several cases but taking note of the facts and circumstances of the present case as well as period of detention of the petitioner in jail custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional District & Sessions Judge –III, Patna city, Patna, in connection with session trial no. 1066 of 2014 arising out of Chowk P.S.Case No. 23 of 2012, subject to the condition that petitioner shall attend the trial court on each and every date for the period of nine months or till conclusion of his trial, which ever is earlier, and, furthermore, if he is caught in future in similar type of cases, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Hemant Kumar Srivastava, J)

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