

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17948 of 2016

Arising Out of PS.Case No. -312 Year- 2012 Thana -MANER District- PATNA

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RAJ KUMAR RAI @ RAJ @ RAJ YADAV @ RAJ KUMAR son of Sri
Bihari Rai resident of Village Chhitnawan, P.S. Maner, District Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Durgesh Nandan, Advocate

For the Opposite Party : Mr. M.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 27-06-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Maner P.S.
Case No. 312/2012 registered for the offences punishable under
Sections 324,326,307/34 of the I.P.C. and Section 3(X) SC & ST
Act.

The petitioner wants to renew the prayer of bail which
was earlier twice rejected vide order dated 08.10.2013 passed in
Cri. Misc. No. 20509/13 and again vide order dated 08.04.2015
passed in Cri. Misc. No. 18686/14 on the ground that the trial has
not been concluded, as per direction given in order dated
08.04.2015 and the petitioner is in custody for more than three and
half years. The informant has already been examined as P.W.-5
and now there is no chance of tampering with the prosecution
evidence.

The learned APP submits that from the report of the learned Additional Sessions Judge,V -cum- Special Judge, (SC & ST Act) Patna, it reveals that the case is at the stage of prosecution witness but it is likely to be concluded as out of nine witnesses, seven witnesses have already been examined.

In the facts and circumstances stated above, considering the period of detention and further the trial has not been concluded within the time specified in order and as such the the petitioner 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 Trial Court (Special Judge, S.C & S.T. Act) Patna in connection with Maner P.S. Case No. 312/2012 subject to the conditions that one of the bailors must be 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)

khushbu/Veena

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