

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.19928 of 2016**

Arising Out of PS.Case No. -560 Year- 2014 Thana -KATIHAR District- KATIHAR

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Bittu Singh, Son of Surendra Singh, Resident of Mohalla - Railway Colony, Quarter No. 635/C, O.T. Para, Police Station Sahayak Katihar, District - Katihar

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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**Appearance:**

For the Petitioner/s : Mr. Awadhesh Kumar Mishra, Advocate.

For the Opposite Party/s : Ms. Veena Rani Prasad, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**

ORAL ORDER

3 26-10-2016

Heard both sides.

The petitioner seeks bail in Katihar Town (Sahayak)

P.S. Case No. 560/2014, G.R. Case No. 2843/2014, Sessions Trial No. 104/2015 for the offences punishable under Sections 307 and other sections of the Indian Penal Code and Section 27 of the Arms Act.

The prayer for bail of the petitioner was earlier rejected vide order dated 07.09.2015 passed by this Court in Cr. Misc. No. 8456/2015 with a direction to the trial court to conclude the trial within six months. A report was called for from the trial court. The 5<sup>th</sup> Additional Sessions Judge, Katihar has reported that the case was transferred to his court on 17.09.2016. Only charges were framed against the accused and not a single witness has been examined as yet.

Considering the facts that the petitioner has already

remained in jail for more than two years and trial has not yet progressed, the above named petitioner is directed to be enlarged on bail on furnishing 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 V, Katihar in Katihar Town (Sahayak) P.S. Case No. 560/2014, G.R. Case No. 2843/2014, Sessions Trial No. 104/2015, subject to the condition that the petitioner shall appear on each and every date during the course of trial and if the petitioner fails to appear in court on two consecutive dates, the trial court shall cancel the bail bonds of the petitioner.

Dilip/-

**(Prabhat Kumar Jha, J)**

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