

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22131 of 2016

Arising Out of PS.Case No. -14 Year- 2013 Thana -BARAHIYA District- LAKHISARAI

=====

1. Vikash Kumar @ Vikash Singh Son of Ramakant Singh resident of
village - Garh Laxmipur, P.S. Barahiya, District - Lakhisarai... Petitioner

Versus

1. The State of Bihar. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. R.K. Chaurasia (App)

=====

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

ORAL ORDER

2 22-06-2016

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

The petitioner wants to renew his prayer of bail,
which was earlier rejected vide order dated 07.10.2015 passed in
Cr. Misc. No. 22426 of 2015, on the ground that earlier his prayer
of bail was rejected on the basis of statement of one eye witness
Subodh Singh, now that Subodh Singh has been examined as PW
1 in Sessions Trial No. 399 of 2014 vide annexure-6 and he has
not supported the prosecution version that the petitioner is the
assailant and he has turned hostile. Other co-accused have already
been allowed bail vide annexure 4 and 5.

Learned APP fairly submits that Subodh Singh is only
an eye witness of the occurrence but now he has turned hostile.

In the facts and circumstances stated above,
considering the statement of Subodh Singh during trial, 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 I, Lakhisarai in Sessions Trial No. 399 of 2014 arising out of Barahiya P.S. Case No. 14 of 2013, 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.

avin/-

(Jitendra Mohan Sharma, J)

U		T	
---	--	---	--