

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30534 of 2016

Arising Out of PS.Case No. -383 Year- 2012 Thana -GARDANIBAGH District- PATNA

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Ramesh Prasad Gupta, S/o Late Banarsi Sah, Resident of village -
Jagdishpur, P.S. Jagdishpur, District - West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate.

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

4 31-08-2016

Heard learned counsel for the petitioner and the learned

A.P.P. for the State.

The petitioner is accused in connection with Special Case No. 45 of 2012 arising out of Gardanibagh P.S. Case No. 383 of 2012 registered under Section 414 of the Indian Penal Code and Sections 21 and 22 of the N.D.P.S. Act.

Learned counsel for the petitioner submits that the prayer for bail of the petitioner along with other co-accused, namely, Md. Shamshad, Pravez Alam and Munna Alam was earlier rejected on merit vide order, dated 17.01.2014 passed in Cr. Misc. No. 26446 of 2013 and other analogous cases by this Court. It is further submitted that petitioner, who has no criminal antecedent, is in custody since 11.12.2012 but up till now out of six witnesses, only two witnesses have been examined. Further submission is that co-accused, Munna Alam and Md. Pravez Alam have already been

granted privilege of bail by this Court vide orders, dated 11.05.2016 and 22.06.2016 passed in Criminal Misc. Nos. 20416 of 2016 and 23883 of 2016, respectively.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-VII, Patna, in connection with Special Case No. 45 of 2012 arising out of Gardanibagh P.S. Case No. 383 of 2012. Subject to the condition that one of the bailors will be a close relative of the petitioner, who will file an affidavit giving genealogy as to how he is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner and further the petitioner shall remain present on each and every date during the course of trial in the Court below. If the petitioner fails to remain present on two consecutive dates during the course of the trial without any reasonable cause being shown, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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