

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48985 of 2015

Arising Out of PS.Case No. -104 Year- 2014 Thana -JAMALPUR District- MUNGER

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Sunil Kumar Das Son of Damodar Das resident of Village Hasanganj
,Police Station -Kasim Bazar, District Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan

For the Opposite Party/s : Mr. Jitendra Kr. Roy No.1, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 20-01-2016

Heard the parties.

The prayer for bail made on behalf of the petitioner in a criminal prosecution registered under the provisions of the Arms Act was rejected earlier on 04.03.2015 passed in Cr. Misc. No. 1056 of 2015 (Annexure-1) with an observation that if the trial of the petitioner is not concluded within a period of six months from the date of receipt/ production of a copy of the said order, then he shall be at liberty to renew his prayer for bail.

The learned counsel appearing on behalf of the petitioner submits that the aforesaid order of this Court was received in the court below on 09.03.2015 and despite passage of more than nine months since the date of the said order, trial of the petitioner has not been concluded till date.

The learned Additional Public Prosecutor appearing on behalf of the Stat has not been able to dispute the aforesaid submission.

In the aforesaid facts and circumstance, the prayer for bail is allowed. The petitioner above named is directed to be

released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 3rd, Munger in connection with S.C. No. 866 of 2014/ S.Tr. No. 103 of 2015 arising out of Jamalpur P.S. Case No. 104 of 2014, subject to the conditions that:

- (A) One of the bailors shall be government servant,
- (B) Other bailor shall be one of his parents,
- (C) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving an opportunity of hearing to all concerned and
- (D) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Prasad Verma, J)

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