

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54604 of 2015

Arising Out of PS.Case No. -70 Year- 2007 Thana -KASIMBAZAR District- MUNGER

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Sanjay Saw son of late Narayan Sao resident of P.C. Dutta Colony between
Baser P.S. Kasim Bazar District Munger.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Satyendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

6 15-11-2016 Heard the counsel for the petitioner and the State.

This is repeat application seeking bail in Kasim
Bazar P.S. Case No. 70 of 2007 registered under section 302
IPC, section 27 of the Arms Act as well as section 3/5 of the
Explosive Substance Act.

The second attempt of the petitioner to seek bail was
considered and rejected vide order dated 29.04.2015
(Annexure-1) wherein a liberty was granted to the petitioner
to renew his prayer for bail if the trial does not conclude
within 05 months. The petitioner is said to be the main
assailant.

It is submitted that till date the prosecution has not

examined all the witnesses. The petitioner is in custody since 25.01.2013.

The report called for from the learned trial court is placed at Flag-G wherefrom it appears that 17 witnesses have been examined and steps have been taken to conclude the examination of other prosecution witnesses for which the learned Judge has indicated 03 months' time.

Considering the period of incarceration and previous order passed on his bail petition (Annexure-1), this Court is not inclined to grant bail to the petitioner. While rejecting the bail application, it is disposed of by the following order:-

Let the trial court in seisin of S.T.No. 296 of 2013 (arising out of Kasim Bazar P.S. Case No. 70 of 2007) take steps and conclude the examination of remaining prosecution witnesses within 03 months from the date of receipt/production of a copy of this order, falling which the petitioner above named shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the said court in S.T.No.296 of 2013 (arising out of Kasim Bazar P.S. Case No. 70 of 2007) on condition that one of the bailors of the petitioner shall be his own/close family member. In the event

of grant of bail, the petitioner shall appear in person on each date fixed at the trial. In case he fails to do so on 02 consecutive dates, the trial court shall have liberty to cancel his bail bonds.

(Kishore Kumar Mandal, J)

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