

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 56845 of 2015

Arising Out of PS.Case No. -206 Year- 2013 Thana -FORBESGANJ District- ARRARIA

=====

Md. Subhan @ Subhan Son of Md. Khatri Resident of Village- Pipraghat
Tappu Tola, P.s Jogbani, Dist Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

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

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 03-02-2016 Heard Sri Ramesh Kumar Singh, learned counsel for
the petitioner and Sri Surendra Prasad Singh, learned Addl. Public
Prosecutor.

This is the 2nd attempt for grant of bail. The petitioner,
who is in custody in Forbesganj P.S. Case No. 206 of 2013
(arising out of G.R. No. 1270 of 2013) since 19-06-2014 in the
present case, has again made a prayer for grant of bail.

The case was registered under Section 394 of the
Indian Penal Code. Earlier, the prayer for bail of petitioner was
rejected on 08-04-2015, vide Cr. Misc. No. 49422 of 2014.

In this case, after hearing the parties, by order dated
13-01-2016, a report was called for regarding stage of the case,
which has been received and kept at **flag 'A'**. The report suggests

that despite the fact that charges were framed on 08-12-2014 and issuance of warrant of arrest for securing attendance of witnesses, till the date of the report, none of the prosecution witnesses was examined.

In view of the fact that the petitioner is in custody and prosecution has not produced witnesses, the Court is of the opinion that the petitioner may not be detained for further period.

Accordingly, let the petitioner namely Md. Subhan @ Subhan 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 learned Chief Judicial Magistrate, Araria/concerned court in connection with Forbesganj P.S. Case No. 206 of 2013 (arising out of G.R. No. 1270 of 2013) with a condition that one of the bailor must be blood relation of the petitioner and secondly, during trial the petitioner shall remain physically present on each & every date. If continuously on two dates, without prior permission of the trial court, the petitioner remains absent, his bail-bond shall stand automatically cancelled.

(Rakesh Kumar, J.)

Anay

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