

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37563 of 2015

Arising Out of PS.Case No. -22 Year- 2013 Thana -SONBERSA District- SITAMARHI

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1. Jitendra Kumar Rai @ Jitendra Kumar Son of Sheoji Rai Resident of
Village - Jai Nagar, P.S. - Sonbarsa, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s Mr. Ram Naresh Roy (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 03.02.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Earlier prayer for bail of the petitioner was twice rejected by
this court and while rejecting prayer for bail of the petitioner on
11.3.2015, this court directed the trial court to conclude the trial of the
petitioner within seven months from the date of receipt of order dated
11.3.2015 passed in Cr. Misc. no. 2107/2015 but it appears from the
report of Addl. Sessions Judge I, Sitamarhi that up till now, only ten
prosecution witnesses could be examined and still three prosecution
witnesses including doctor have been left to be examined.

Learned counsel for the petitioner submits that earlier prayer
for bail of the petitioner and co-accused Mukesh Kumar was rejected
by this court taking note of this fact that the deceased had disclosed
name of the petitioner and co-accused Mukesh Kumar before the
informant but co-accused Mukesh Kumar has been granted privilege

of bail by this court vide order dated 1.7.2015 passed in Cr. Misc. no. 17831/2015 taking note of this fact that in course of trial, informant disclosed that when he reached on the spot, deceased was not in a position to speak. It is submitted that case of the petitioner stands on similar footing to that of co-accused Mukesh Kumar.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi in Sonbarsa P.S. Case no. 22/2013.

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(Hemant Kumar Srivastava,J)

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