

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32510 of 2016

Arising Out of PS.Case No. -7 Year- 2015 Thana -SARMERA District- NALANDA
(BIHARSHARIFF)

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Yogendra Ram @ Jogendra Ram, son of Sri Mahendra Ram, resident of
Village - Sarmera, P.S.- Sarmera, District-Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun Kumar, Advocate

For the Opposite Party : Mr. Sri Sunil Kumar Pandey (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 07-09-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew his prayer of bail,
which was earlier rejected vide order dated 24.11.2015 passed in
Cr. Misc. 35236 of 2015, on the ground that the he is suffering in
custody since 16.02.2015. After his surrender, up till now, only the
case has been committed to the court of sessions and there is no
progress in the trial and the petitioner was given liberty to renew
his prayer for bail, if the trail is not concluded within six months.
There is land dispute between the parties and in the case diary no
injury report is available.

Learned A.P.P. submits that against the petitioner
there is allegation that he fired on Slok Ram on the chest.

In the facts and circumstances stated above, considering that trial has not been concluded within time given, there is no chance of tampering with prosecution evidence and the petitioner by remaining in custody now has been sufficiently penalized at this stage, as such, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif arising out of Sarmera P.S. Case No. 07 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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