

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32471 of 2016

Arising Out of PS.Case No. -259 Year- 2014 Thana -BHABHUA District- BHABHUA (KAIMUR)

- =====
1. Dau Singh @ Daujee Singh son of Late Ram Bhoj Singh.
 2. Shushila Devi wife of Dau Singh.
- Both resident of Village- Kamta, P.S.- Bhabhua, District- Kaimur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar Singh

For the Opposite Party/s Mr. Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 26.10.2016

Heard learned counsel for the petitioners as well as learned

Addl. Public Prosecutor for the State.

Earlier prayer for bail of the petitioners was rejected giving direction to the trial court to conclude the trial of the petitioners within three months as evidences of both parties have already been recorded but it appears to me that trial of the petitioners is still pending.

The learned trial court has reported that prosecution commenced his argument on 16.9.2016 but in the meantime, informant filed transfer petition for transfer of the record from the court of Addl. Sessions Judge V, Kaimur at Bhabua to another court and that was the reason argument in the trial of the petitioners could not proceed.

Petitioners are in jail custody since 15.9.2014 and there is no apprehension of tampering with the prosecution evidence.

Admittedly, evidences of both parties have already been recorded and furthermore, there is no apprehension of abscond of the petitioners.

Considering the above stated facts and circumstances as well as submissions of the parties, let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge V, Kaimur at Bhabua in Sessions Trial no. 19 of 2015/ 13 of 2015 arising out of Bhabua P.S. Case no. 259/2014 subject to the condition that petitioners shall attend the learned trial court in person on each and every date for the period of three months or till conclusion of their trial whichever is earlier and if they fail to do so on two consecutive dates without any reasonable explanation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

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(Hemant Kumar Srivastava,J)

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