

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31620 of 2016

Arising Out of PS.Case No. -144 Year- 2014 Thana -BANIAPUR District- SARAN

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Shashi Kant Sharma @ Sonu Son of Kameshwar Sharma Resident of
village - Darhibari, P.S. Baniapur, District - Saran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manindra Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 10-08-2016

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 29.10.2015 passed in
Cr. Misc. No. 29488 of 2015, on the ground that the petitioner is
in custody since 21.04.2015 and the trial has not been concluded
within the time granted by this court. The independent witnesses
vide Para 80, 81, 82, & 83 of the case diary have not supported the
prosecution version. Charge has already been framed on
24.02.2016 and there is no chance of tampering with prosecution
evidence.

Learned APP duly assisted by learned counsel for
the informant and opposes the prayer of bail by submitting that the

accused persons delayed the trial by filing the petition under Section 227 of the Cr.P.C.

In the facts and circumstances stated above, considering the custody of the petitioner and further that there is no chance of tampering with the prosecution evidence and as such now 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 Additional Sessions Judge XI , Saran at Chapra in S. Tr. No. 636 of 2015 arising out of Baniapur P.S. Case No. 144 of 2014, 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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