

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37804 of 2016

Arising Out of PS.Case No. -99 Year- 1996 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Suresh Yadav @ Suresh Choudhary S/o late Ramayan Chowdhary
Resident of Village- Kukurmukka, P.S. Gopalganj, District Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 05-10-2016

Heard.

Earlier, the prayer for bail of the petitioner was rejected vide order dated 18.05.2016 passed in Cr. Misc. No. 7939 of 2016 by this Court giving liberty to the petitioner to renew his prayer for bail after framing of charge.

Submission on behalf of the petitioner is that the charge against the petitioner has already been framed on 29.07.2016, which is evident from perusal of Annexure-5 to the petition. It is further submitted that no doubt, petitioner could be remanded in this case in the year 2015 but, as a matter of fact, the petitioner was in jail custody in the year 2009 in connection with another case and information regarding his custody could not be

given to the concerned court in the present case. It is further submitted that, moreover, in the present case, victim did not name the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of period of detention of the petitioner in jail custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-IX, Motihari in connection with Paharpur P.S. Case No. 99 of 1996/ Trial no. 1548 of 2015, subject to condition that one of the sureties must be a close relative of the petitioner, who shall swear an affidavit to this effect as to how he is related with the petitioner and, furthermore, petitioner shall attend the trial court in person on each and every date for the period of nine months or till conclusion of his trial which ever is earlier and if he fails to do so on two consecutive dates without any reasonable cause, the trial court shall be at liberty to cancel the bail bond of the petitioner.

(Hemant Kumar Srivastava, J)

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