

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34135 of 2016

Arising Out of PS.Case No. -283 Year- 2015 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

=====

Lakshmi Kant Jha, son of Kanti Jha, resident of Village- Dhimoh, P.S.-
Harnaut (Gokhulpur O.P.), District- Nalanda.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party : Mr. Smt. Renuka Ratnakar(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 31-08-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew the prayer of bail,
which was earlier rejected by order dated 09.02.2016 passed in Cr.
Misc. No. 55394 of 2015, on the ground that the petitioner is in
custody since 22.09.2015, in the first information report there is no
specific allegation against him, but in the statement of Asha
Kumari made before the police and recorded under section 164 of
Cr.P.C., the name of the petitioner has come and on that ground
his prayer for bail was rejected, but now Asha Kumari has been
examined as P.W.1 in Sessions Trial No. 435 of 2015 wherein she
has been declared hostile and has not supported the prosecution
version.

The learned A.P.P. fairly submits that now Asha Kumari is not supporting the prosecution version.

In the facts and circumstances stated above, in the change circumstances, 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 Sessions Judge, Nalanda at Biharsharif, in connection with S.T. No. 453 of 2015 corresponding to Harnaut P.S. Case No. 283 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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