

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33035 of 2016

Arising Out of PS.Case No. -448 Year- 2013 Thana -ARA NAWADA District- BHOJPUR

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1. Santosh Sharma Son of Late Satya Narayan Sharma, Resident of Village-
Rup Chakiya P.S Chandi, District- Bhojpur at Ara (Bihar)..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri S.M. Rahman

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 24-08-2016

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 05.01.2016 passed in Cr. Misc. No. 50145 of 2015, on the ground that there is no direct evidence against the petitioner and he is suffering in custody since 25.02.2015, trial has not been concluded within the time given by this Court and from the ordersheet dated 16.07.2016 it reveals that the informant does not want to produce the witnesses, there is no chance of tampering with prosecution evidence and in near future the trial is not likely to be concluded and, as such, the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the custody of the petitioner and further that in near future the trial

is not likely to be concluded and there is no chance of tampering with prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Sessions Judge, Bhojpur at Ara in S. Tr. No. 37 of 2016 arising out of Nawadah P.S. Case No. 448 of 2013, 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)

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