

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48482 of 2016

Arising Out of PS.Case No. -287 Year- 2015 Thana -KAHALGAON District- BHAGALPUR

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Ravi Raj @ Ravi Kumar @ Ravi Kumar Sah, son of Shri Shyam Sah,
Resident of Village- Bikramshila, Police Station- Kahalgaon, District-
Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr.

For the Opposite Party : Mr.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 09-11-2016 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 31.03.2016 passed in Cr.
Misc. 5349 of 2016, on the ground that the petitioner is suffering
in custody since 27.11.2015, it was the case of love affair, no
offence under section 376 of the Indian Penal Code is made out,
the trial has not been concluded as yet and up till now charges
have also not been framed though, there was direction to conclude
the trial as per amended proviso of section 309 of the Cr.P.C., in
near future trial is not likely to be concluded, as such, petitioner
deserves sympathetic consideration.

The learned APP fairly submits that the trial has not
been started as yet and up till now the charges has not been

framed.

In the facts and circumstances stated above, considering that the trial has not been started as yet though, there was direction to expedite the trial and to conclude the same as per amended proviso of section 309 of the Cr.P.C. and as such, 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 Chief Judicial Magistrate, Bhagalpur, in connection with Kahalgaon P.S. Case No. 287 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.)

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