

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36612 of 2016

Arising Out of PS.Case No. -859 Year- 2014 Thana -BIHTA District- PATNA

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1. Mithilesh Raj Raju @ Pappu Singh son of Baiju Sharma, Permanent resident of village- Berhna, P.S- Barh, District- Patna. At Present Flat No. 306, Jai Ballabh Apartment, Nehru Nagar, P.S. Patliputra, District- Patna.

.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 07-09-2016 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 12.04.2016 passed in Cr. Misc. No. 55501 of 2015, on the ground that in this case other co-accused, namely, Anant Singh and Bipin Kumar Singh have been allowed bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 27851 of 2016 and 34127 of 2016 and the petitioner is suffering in custody since 13.08.2015, in near future the trial is not likely to be concluded and, as such, he also deserves sympathetic consideration. The petitioner undertakes not to tamper with prosecution evidence.

Learned APP fairly submits that other two co-accused have been allowed bail.

In the facts and circumstances stated above, considering that in near future the trial is not likely to be concluded and the petitioner is in custody since long, 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 Additional Chief Judicial Magistrate, Danapur, Patna in connection with Bihta P.S. Case No. 859 of 2014, subject to the condition that any attempt to terrorize the prosecution witnesses or to tamper with the prosecution evidence by or on behalf of the petitioner, shall give liberty to the concerned court to cancel the bail bonds of the petitioner by giving sound reasoning after due and proper inquiry, 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.

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(Jitendra Mohan Sharma, J)

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