

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50489 of 2016

Arising Out of PS.Case No. -61 Year- 2009 Thana -UJIYARPUR District- SAMASTIPUR

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Rizbi @ Bhaijan Son of Late Hira Mian, Resident of Village- Lakhanipur
Maheshpatti, Tole Maulanagar, P.S.- Ujiarpur, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh

For the Opposite Party/s : Mr. Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The petitioner is in custody in S.T. No.540/12
arising out of Ujiarpur P.S. Case No.61 of 2009 registered under
Sections 147, 149, 341, 323, 302, 307/120(B) of the I.P.C.

The allegation against the petitioner and other co-
accused is that they badly assaulted to Md. Taslim and Md.
Muslim as a result whereof Md. Taslim and Md. Muslim died.

It appears that the petitioner and other had moved
earlier for bail in Cr.Misc.No.11843 of 2010 which was disposed
of on 5.10.2010. While rejecting the prayer for bail trial court was
directed to expedite the trial and conclude preferably within a
period of one year.



In paragraph 11 of the bail petition petitioner has stated on oath that during the last six years some prosecution witnesses were examined. However one witness is yet to be examined.

Considering the period already undergone, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the 6th Additional Sessions Judge, Samastipur, in S.T. No.540/12 arising out Ujarpur P.S.Case No.61 of 2009. Both bailers shall be the local residents and of territorial Jurisdiction of this Hon'ble Court. Petitioner will cooperate with the trial, failing which the trial court shall take step to cancel his bail bond.

(Birendra Kumar, J)

AnilKrSinha/-

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