

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44633 of 2016

Arising Out of PS.Case No. -169 Year- 2014 Thana -FALKA District- KATI HAR

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Pankaj Mandal, Son of Sri Satya Narayan Mandal Resident of Village-
Kabelasia, P.S.- Falka, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjeet Kumar Singh

For the Opposite Party : Mr. Sri Rajesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 23-11-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew the prayer of bail,
which was earlier twice rejected by order dated 27.10.2015 and
27.04.2016 passed in Cr. Misc. 28668 of 2015 and Cr. Misc. No.
17750 of 2016 respectively, on the ground that the petitioner is
suffering in custody since 18.07.2014 and the trial has not been
concluded within the stipulated period. In near future also the trial
is not likely to be concluded and, as such, the petitioner deserves
sympathetic consideration.

The learned APP fairly submits that up till now out
of eight prosecution witness, six prosecution witnesses have been
examined and rest have not been examined which is evident from

the report dated 03.11.2016 of learned Additional Sessions Judge,
5th Katihar.

In the facts and circumstances stated above, considering the detention of the petitioner and further that there is no chance of tampering with the prosecution evidence and, as such, now 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 Additional Sessions Judge-Vth, Katihar in connection with S.Tr. No. 353 of 2014, arising out of Falka P.S. Case No. 169 of 2014, 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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