

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 14628 of 2016

Arising Out of PS.Case No. -25 Year- 2015 Thana –MEDANI CHOWKI District- LAKHISARAI

Bhikhari Singh Son of Radhe Singh Resident of Village- Nandanpur , PS
Suryagarha, District Lakhisarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Rama Kant Sharma, Sr.Adv.

Mr. Laxmi Kant Sharma, Adv.

For the Opposite Party/s : Mr. Ambika Bhagat(App)

Mr. Manoj Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

3. 20-04-2016 Heard Sri Rama Kant Sharma, learned senior counsel assisted by Sri Laxmi Kant Sharma, learned counsel for the petitioner, Sri Ambika Bhagat, learned Addl. Public Prosecutor as well as Sri Manoj Kumar, learned counsel, who has voluntarily appeared on behalf of informant.

The sole petitioner, who is in custody since 29-05-2015 as stated in paragraph – 14 of the present petition, has again made a prayer for grant of bail in Medani Chowki P.S. Case No. 25 of 2015 registered for the offence under Sections 307, 387, 324, 147, 148, 149 & 506 of the Indian Penal Code, Section 27 of the Arms Act, 1959 and Section 3 (x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The prayer for bail of the petitioner was earlier rejected by order dated 05-12-2015 passed in Cr. Misc. No. 54963 of 2015.

In this case, by order dated 06-04-2016, a report was called for from the court below regarding stage of the case, which has been received and kept at flag 'A'. On perusal of the report, it is evident that after order of cognizance, no progress in the case has taken place. The case is fixed for appearance of the accused person.

Keeping in view the fact that the petitioner is in custody since 29-05-2015 and no adequate progress has taken place before the court below without fault of the petitioner, there is no reason to further detain the petitioner.

Accordingly, let the petitioner namely Bhikhari Singh be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Lakhisarai in Medani Chowki P.S. Case No. 25 of 2015, on condition that one of the bailor must be blood relation of the petitioner and secondly, during the trial before the court below, the petitioner shall remain physically present on each and every date. If continuously on two dates, without prior permission of the trial court, he remains absent, his bail-bond shall stand automatically cancelled.

(Rakesh Kumar, J.)

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