

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22029 of 2016

Arising Out of PS.Case No. -541 Year- 2014 Thana -KRITYANAND NAGAR District- PURNIA

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Md. Tahir Son of Late Jamruddin resident of village - Naya Tola,
Begumpur, P.S. Krityanand Nagar, District - Purnia

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate.
Mr. Diwakar Upadhyaya, Advocate.

For the Opposite Party : Mr. Ram Sumiran Rai (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-09-2016 Heard both sides.

The petitioner seeks bail in K. Nagar P.S. Case No. 541 of 2014, giving rise to Sessions Trial No. 289 of 2015, registered for the offences punishable under Section 307 and some other Sections of the Indian Penal Code and Section 27 of the Arms Act.

The prayer for bail of the petitioner was earlier rejected vide order dated 13.04.2015 passed in Cr. Misc. No. 6347 of 2015 with a direction to the trial court to conclude the trial within one year.

It is submitted that the trial has not yet been concluded, although about one year and five months have elapsed since the order dated 13.04.2015. The petitioner is in jail since 06.10.2014 and he has already remained in jail for about two years. It is

further submitted that earlier from the side of the petitioner two persons were killed by the side of the informant and one person by the side of the informant was also killed. There is series litigation between the parties on account of land dispute.

Considering the facts aforesaid and the fact that the petitioner is in jail for about two years in a case registered under Section 307 and some other Sections of the Indian Penal Code and in spite of direction to conclude the trial within one year, the trial has not been concluded, the petitioner above named is directed to 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 the Additional Sessions Judge, 5th Purnia in K. Nagar P.S. Case No. 541 of 2014, giving rise to Sessions Trial No. 289 of 2015, subject to the condition that the petitioner shall appear on each and every date during the course of trial and shall not make any effort to tamper with the evidence, failing which the trial court shall be at liberty to cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J.)

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