

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25860 of 2016

Arising Out of PS.Case No. -357 Year- 2015 Thana -FORBESGANJ District- ARRARIA

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Md. Sabir @ Sabir Ali S/o Md. Idrish R/o Village- Khairkhan , Tola
Madhubani Ward no. 7, PS Forbesganj District Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 29-06-2016 Heard Sri Sanjay Kumar, learned counsel for the

petitioner , learned A.P.P. as well as Sri Sudish Kumar , learned

counsel who has voluntarily appeared on behalf of the informant.

 This is third attempt for grant of bail in a case registered

for the offence under section 307 and other allied sections of the

Indian Penal Code. Earlier, prayer for bail of this petitioner was

rejected on 30.11.2015 vide Cr. Misc. 52052 of 2015. While

rejecting the prayer for bail this court had granted liberty to the

petitioner to renew prayer for bail after six months. However

without waiting for expiry of six months the petitioner filed

second bail petition vide Cr. Misc. No. 14405 of 2016 which

stood dismissed outrightly by order dated 6.4.2016. This is third

attempt.

Learned counsel for the petitioner submits that petitioner after rejection of the earlier bail petition has already remained in jail for more than six months whereas learned counsel for the informant submits that after framing of charge trial is already going on.

Keeping in view fact that earlier observation was given by this court for renewal of the prayer for bail after six months, there is no reason to deny the prayer of bail. Accordingly let the petitioner Md. Sabir @ Sabir Ali be enlarged on bail on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge, IV, Araria in connection with Sessions Trial No. 112 of 2016 arising out from Forbesganj P.S. Case No. 357 of 2015 with a condition that one of the bailors must be blood relation of the petitioner and secondly during the trial on each and every date the petitioner shall remain physically present. If without prior permission of the trial court the petitioner remains absent continuously on two dates his bail bond shall stand automatically cancelled.

(Rakesh Kumar, J)

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