

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37894 of 2016

Arising Out of PS.Case No. -20 Year- 2014 Thana -HASANPUR District- SAMASTIPUR

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1. Arjun Kumar Mahto @ Arjun Mahto Son of Baiju Mahto @ Bijendra Kumar Mahto Resident of village - Maldah, P.S. Hasanpur, District - Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 28-09-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 27.02.2014 in a case registered for the offences punishable under Section 376 of the Indian Penal Code and earlier his prayer for bail was twice rejected by this court and while rejecting the prayer for bail of the petitioner vide order dated 10.02.2016 passed in Cr. Misc. No. 276 of 2016 liberty was given to petitioner to renew his prayer for bail after examination of the prosecutrix. Furthermore, the prosecution was directed to get the prosecutrix examined within four months.

Submission on behalf of the petitioner is that at the time of passing order dated 10.02.2016 in Cr. Misc. No. 276 of

2016, only three prosecution witnesses had been examined and the present situation is similar because up till now, only three prosecution witnesses could be examined. It is also pointed out that prosecutrix has not been examined as yet and as a matter of fact, prosecution only wants to keep the petitioner in jail custody.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of period of detention of the petitioner in jail custody, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge, Rosera, Samastipur in connection with Hasanpur P.S. Case No. 20 of 2014 corresponding to Sessions Trial No. 408 of 2014.

(Hemant Kumar Srivastava, J)

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