

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45985 of 2016

Arising Out of PS.Case No. -829 Year- 2004 Thana -PHULWARI District- PATNA

- =====
1. Pawan Kumar
 2. Tinku Kumar Both sons of Late Baleshwar Ram Resident of Village-Biranchak, Police Station-Janiur, District-Patna

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 16-11-2016 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioners are named in the first information report and the accusation against them is that they along with some other accused caught hold the deceased at the time of alleged occurrence. Earlier, the prayer for bail of the petitioners was rejected by this court taking note of this fact that they absconded for near about eleven years and police after investigation, submitted charge sheet against them showing them as absconder.

Submission on behalf of the petitioners is that

petitioners are in jail custody since 25.07.2015 and now charge against them has already been framed. It is further submitted that there is nothing on the record to show that release of the petitioners on bail would create any hurdle in smooth trial of the petitioners. It is further submitted that some co-accused, having more or less similar allegation, have already been granted privilege of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners 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-IV, Patna in connection with Sessions Trial No. 02 of 2016 arising out of Phulwari Sharif (Janipur) P.S. Case No. 829 of 2004, subject to condition that they shall attend the trial court on each and every date in person for the period of nine months or till conclusion of their trial whichever is earlier and if they fail to do so on two consecutive dates without any genuine cause, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Hemant Kumar Srivastava, J)

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