

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43031 of 2016

Arising Out of PS.Case No. -19 Year- 2012 Thana -KATIHAR GRP CASE District- KATIHAR

=====

Kari Sahani @ Fagu Sahani , son of Raghuni Sahani resident of village
Lakari Pati Jawahar School Gulabagh P.S. Sadar District Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vinay Ranjan

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 08-12-2016 Heard Sri Vinay Ranjan, learned counsel for the

petitioner and Sri Damodar Prasad Tiwary, learned Additional

Public Prosecutor .

The sole petitioner , who is in custody since 8.10.2012
in Katihar Rail P.S. Case No. 19 of 2012 registered for the offence
under Section 328, 379 of the Indian Penal Code and
subsequently Section 307/ 34 of the Indian Penal Code was
added has prayed for grant of bail primarily on the ground that
though the petitioner is in custody since the year 2012 till date not
even a single witness has been examined by the prosecution. He
submits that charge was framed long back in this case.

Vide order dated 19.10.2016 a report was called for
from the court below regarding the present stage of the case
which has been received and kept at flag 'A'. The report of



learned Additional Sessions Judge Vth , Katihar dated 24th November 2016 indicates that charge was framed on 2.1.2014 however despite processes till date not even a single witness has been examined.

Keeping in view the period of custody and the pace of trial , the court is of the opinion that petitioner may not be detained further without any trial.

Accordingly let the petitioner Kari Sahani @ Fagu Sahani be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – II, Katihar / concerned court in connection with Katihar Rail P.S. Case No. 19 of 2012 with condition that one of the bailors must be blood relation of the petitioner.

(Rakesh Kumar, J)

Praful/-

U		T	
---	--	---	--

