

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45597 of 2016

Arising Out of PS.Case No. -232 Year- 2014 Thana -RAJAULI District- NAWADA

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1. Jitendra Kanjar Son of Raj Kumar Kanjar
2. Sukhpal Kanjar Son of Rajmal Kanjar Both are residents of Village -
Bhairva Kheri, Police Station - Tonk Khurd, District - Dewash (Madhya
Pradesh).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Arun

For the Opposite Party/s : Mr. Smt. Sahin Begam

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 26-10-2016 Supplementary affidavit has been filed on behalf of

the petitioners annexing copy of invitation card to show that the

marriage of two daughters of petitioner no.1 is settled.

The petitioners want to renew their prayer for bail,

which was earlier rejected vide order dated 29.10.2015 and

20.07.2016 passed in Criminal Misc. No. 29138 of 2015 and

28546 of 2016, on the ground that the petitioners are in custody

since 22.1.2015 and the trial has not been concluded within the

time given. The petitioners by remaining in custody have

sufficiently been penalized at this stage and there is no chance of

tampering with prosecution evidence.

Learned A.P.P. fairly submits that in spite of copy

sent to Superintendent of police the rest witnesses have not been produced, resulting, the trial has not been concluded.

In the facts and circumstances stated above, considering that the trial has not been concluded as yet in spite of the direction given in order dated 20.07.2016, there is no chance of tampering with prosecution evidence and as such the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I Nawada in Session Trial No. 151 of 2015/27 of 2016 arising out of Rajauli P.S. Case No. 232 of 2014, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioner from privilege of bail.

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(Jitendra Mohan Sharma, J)

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