

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 37417 of 2016

Arising out of P.S. Case No. - 132 Year - 2012 Thana - PATLIPUTRA District - PATNA

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Manoj Kumar Pathak, Son of Sri Jagdeep Pathak, Resident of Village +
Post – Baidrabad, P.S. – Arwal, District – Arwal, at present Panchesheel
Nagar, Kanchan Niwas, H/O. Gopal Prasad Ray, P.S. – Danapur, District
Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar, Advocate

For the Opposite Party : Mr. Nand Kishore Pd., A.P.P.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 14-09-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner wants to renew the prayer of bail which was earlier twice rejected by order dated 03.10.2013 and 21.12.2015 passed in Cr. Misc. No. 14777 of 2013 and 35918 of 2014 on the ground that the petitioner is suffering in custody since 12.09.2012. There is no legal and cogent evidence against the petitioner. Three witnesses have already been examined and no one has supported regarding hands of the petitioner in the crime. The trial has not been concluded within six months as per the order dated 21.12.2015 and, as such, the petitioner deserves sympathetic consideration to which the learned A.P.P. fairly submits that trial has not been concluded.

Considering the detention of the petitioner, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Patna in connection with Patliputra P.S. Case no. 132 of 2012, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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