

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39427 of 2016

Arising Out of PS.Case No. -241 Year- 1999 Thana -AMARPUR District- BANKA

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1. Vijay Singh, Son of Late Ram Naresh Singh Resident of Village- Kathail,P.S.- Amarpur, District- Banka.
 2. Banke Singh, son of Vibhuti Singh @ Bhuthi Singh Resident of Village- Kathail, P.S.- Amarpur, District- Banka.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Yogesh Chandra Verma, Sr. Advocate
Mr. Nirbhay Kumar Singh, Advocate
Mr. Dharendra Kr. Singh, Advocate
For the Opposite Party : Mr. Sri Umesh Lal Verma (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 14-09-2016 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners want to renew the prayer of bail, which was earlier rejected by order dated 23.05.2016 passed in Cr. Misc. 20242 of 2016 and Cr. Misc. No. 20289 of 2016, on the ground that they are suffering in custody since 25.11.2015. The informant and one witness have been examined and further two witnesses have been given up by the prosecution as they were not supporting the prosecution version and as such, now petitioners deserve sympathetic consideration.

The learned APP duly assisted by the learned

counsel for the informant submits that other co-accused have already been acquitted by Sessions Trial No. 471 of 2003.

In the facts and circumstances stated above, now the petitioners are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of the learned Additional Sessions Judge - 5th, Banka, in connection with Sessions Trial No. 13 of 2016 arising out of Amarpur P.S. Case No. 241 of 1999, 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 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 petitioners from privilege of bail.

(Jitendra Mohan Sharma, J.)

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