

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16625 of 2016

Arising Out of PS.Case No. -383 Year- 2012 Thana -GARDANIBAGH District- PATNA

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Md. Shamshad, S/O Sheikh Mohammad @ Sheikh Taiyab, resident of
Village- Shekhaunwa, P.S.- Jagdishpur, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate.

For the Opposite Party/s : Mr. Ganesh Pd.Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 20-04-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Special
Case No. 45 of 2012 arising out of Gardanibagh P.S. Case No. 383
of 2012 registered under Section 414 of the Indian Penal Code and
Sections 21 and 22 of the N.D.P.S. Act.

Learned counsel for the petitioner submits that prayer
for bail of the petitioner was rejected earlier on merit on
24.06.2015 with direction to the Trial Court to expedite the trial of
the petitioner within a period of nine months. If the trial is not
concluded within the aforesaid period, the petitioner would be at
liberty to renew his prayer for bail. Further submission is that up
till now, out of six witnesses, only one witness has been examined
in spite of passing over more than nine months and the trial is not

likely to be concluded in near future.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released 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 the Additional Sessions Judge-VII, Patna, in connection with Special Case No. 45 of 2012. Subject to the condition that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner and further the petitioner shall remain present on each and every date during the course of the trial in the court below. If the petitioner fails to remain present on two consecutive dates during the course of the trial without any reasonable cause being shown, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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