

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26860 of 2016

Arising Out of PS.Case No. -173 Year- 2014 Thana -AMDABAD District- KATIHAR

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Sheikh Babloo @ Sk. Babboo, Son of SK. Azaful, Resident of Village-
Chakwa, Tola, Bairiya, P.S. Amdabad, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Musowir, Advocate.

For the Opposite Party : Mr. Sri Bharat Bhushan (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 20-07-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner wants to renew the prayer of bail, which was earlier rejected by order dated 15.02.2016 passed in Cri. Misc. No. 30274 of 2015 on the ground that the trial has not been concluded within the time given and from the report of learned Judicial Magistrate, it reveals that the case has been committed to the Court of Sessions recently on 13.07.2016 itself and as such in near future, the trial is not likely to be concluded. The petitioner is in custody since 31.03.2015 and as such now he deserves sympathetic consideration.

Learned A.P.P. submits that the trial has not been concluded within the time given.

In the facts and circumstances stated above, considering that there is no chance of tampering with the prosecution evidence and in near future the trial is not likely to be concluded and as such, now 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 like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Katihar in connection with Amdabad P.S. Case No.173 of 2014, subject to 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 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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