

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45556 of 2016

Arising Out of PS.Case No. -317 Year- 2014 Thana -VAISHALI District- VAISHALI(HAJIPUR)

=====

KHOMARI PASWAN @ KHOBHARI PASWAN Son of Late Chalitra
Paswan, resident of village - Pauni Hasanpur, P.S. Vaishali, District -
Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kaushal Kishor

For the Opposite Party/s : Mr. Sri Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 07-12-2016 Heard Sri Kaushal Kishore, learned counsel for the
petitioner and Mr. Akbar Ali, learned Addl. Public Prosecutor.

This is the second attempt for grant of bail on
behalf of the petitioner. Earlier, the prayer for bail of the petitioner
was rejected in Vaishali P.S. Case No.317/2014 registered for the
offence under Section 302/34 of the Indian Penal Code vide
Cr.Misc.No.7118 of 2016.

In this case, by order dated 19.10.2016 , a report
was called for regarding stage of the case, which has been received
and kept at Flag-A. The report suggests that the case is still
pending for supply of police papers. As stated in paragraph-10 of
the petition, the petitioner is in custody since 05.10.2015, even
then the case is still pending for supply of police paper.



The Court is of the opinion that there is no reason to further detain the petitioner. The case is still at the stage of supply of police paper. Accordingly, let the petitioner, namely, Khomari Paswan@ Khobhari Paswan be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali in connection with Vaishali P.S. Case No.317/2014 with conditions that (i) one of the bailors must be blood relation of the petitioner and (ii) during trial, the petitioner shall remain physically present before the trial court on each and every date. If continuously on two dates, without prior permission of the trial court, the petitioner remains absent; his bail bond shall stand automatically cancelled.

(Rakesh Kumar, J)

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