

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48490 of 2014

Arising Out of PS.Case No. -258 Year- 2011 Thana -DANAPUR District- PATNA

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1. Pancham Kr. @ Pancham Kr. Mahto Son of Rambabu Mahto Resident of
Mohalla - Chai Tola, Nasriganj, Police Station - Danapur, District - Patna
..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Mukherjee, Adv.
For the Opposite Party : Mr. Navin Kumar Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

6 22-06-2016 Heard the learned counsel for the petitioner and the State.

Earlier the prayer for bail of the petitioner was rejected on 21.06.2013, in Cr. Misc. No. 50436 of 2012. However, this Court by order, dated 06.04.2014, called for a report with a direction to issue summon and process through the Superintendent of Police, Patna, fixing specific date of each of the witnesses separately with a direction to the Superintendent of Police, Patna, to ensure the attendance of the witnesses. However, it has been reported that summon has been issued on the prosecution witnesses through the Superintendent of Police, Patna, vide letter no. 37, dated 30.04.2016, specific date of each of the witnesses. However, it has been stated by the learned counsel for the petitioner that three witnesses have only been examined and only two official witnesses and one non-official witness are remained to be examined and the petitioner is in jail since 08.08.2011 and has remained in jail for about five years.

Having regard to the attitude of the Superintendent of Police, Patna, in procuring the witnesses to support 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 in connection with Sessions Trial No. 54 of 2013 arising out of Danapur P.S. Case No. 258 of 2011 to the satisfaction of the Additional Sessions Judge, II, Danapur, Patna, subject to the condition that the petitioner shall appear in person in Court on each and every date, fixed in the case and any absence, on two consecutive dates, without any reasonable ground to the satisfaction of the Court below, shall be a ground of cancellation of bail of the petitioner by the lower Court itself.

(Gopal Prasad, J)

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