

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4820 of 2016

Arising Out of PS.Case No. -309 Year- 2014 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Alok Tiwary @ Alok Kumar Tiwary Son of Late Umesh Tiwary,
Resident of Village- Mankaraiya, Tola- Husepur, Police Station- Paharpur,
District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Md.Nazir Ansari (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 11-05-2016

Heard.

Petitioner is in jail custody since 01.12.2014 in a case
registered under section 341, 342, 395 of the Indian Penal Code.

Earlier, the prayer for bail of the petitioner was
rejected by this Court vide order dated 17.08.2015 passed in Cr.
Misc. No.32842 of 2015 on the ground that petitioner was
identified by the witnesses in the Test Identification Parade and he
carries criminal antecedent but submission on behalf of the
petitioner is that four accused persons including the petitioner
were identified by the witnesses in the Test Identification Parade,
and out of the aforesaid four accused persons, three accused
persons have already been granted privilege of bail. It is further

submitted that there is no substantial progress in the trial of the petitioner.

The learned Additional Chief Judicial Magistrate, Motihari, has reported that cognizance of the offence was taken on 03.03.2015 but up till now, the case could not be committed to the court of Sessions. The same is pending for appearance of other accused. The aforesaid fact goes to show that there is no possibility of conclusion of trial of the petitioner in near future.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that having similar allegation, some co-accused have already been granted privilege of bail, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Motihari, East Champaran in connection with Trial No. 8162 of 2014 arising out of Paharpur P.S.Case No. 309 of 2014.

(Hemant Kumar Srivastava, J)

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