

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.4971 of 2016**

Arising Out of PS.Case No. -49 Year- 2015 Thana -KISHANGANJ District- KISANGANJ

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1. Taslim son of Fazir @ Faziruddin, resident of Mohiuddin Patharbasti  
Police Station- Kishanganj, District- Kishanganj.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dilip Kumar Singh

For the Opposite Party/s : Mr. M. Dayal (App)

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL**  
**ORAL ORDER**

2      03-02-2016                      Heard the Counsel for the petitioner and Mr. Dayal,  
  
APP for the State.

This is repeat application for bail in Kishanganj P.S.  
Case No. 49 of 2015 (S.T. No. 317 of 2015(A)) registered under  
sections 341, 323, 324, 307, 427/34 of the Indian Penal Code.

His earlier attempt in Cr. Misc. No. 14860 of 2015 was  
considered and rejected vide order dated 22.06.2015 observing  
that if the trial does not record adequate progress within six  
months, he shall have liberty to renew prayer for bail. It is stated  
that the petitioner is in custody since 21<sup>st</sup> February, 2015. The  
order-sheet of the Trial Court [S.T. No. 317/2015(A)] has been  
enclosed to demonstrate that on 09.11.2015 out of two accused,  
only the petitioner was produced. The charges could not be framed  
and he was again sent to jail custody.

Mr. Dayal, APP, on the other hand, submits that there is allegation of causing injury on the head of the victim.

Considering the facts and circumstances of the case, this Court while declining the prayer made in the application, disposes of the application by the following order:-

Let the Trial Court take steps for framing of charge of the accuseds including the petitioner. As soon as charges are framed, the Trial Court shall release the petitioner on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount subject to the following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) The petitioner shall appear in person on each and every date fixed in the trial. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

**(Kishore Kumar Mandal, J)**

Pankaj/-

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