

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11382 of 2016

Arising Out of PS.Case No. -195 Year- 1994 Thana -SHEKHPURA District- SEKHPURA

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Amir Singh S/o Muna Singh Aged 55 Years R/o Mehus PS A/P Mehus,
District Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinkar Kumar, Adv.

For the Opposite Party/s : Mr. Ajay Kumar 2, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 29-04-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Sheikhpura
P.S. Case No. 195 of 1994 registered for the offences punishable
under Sections 147,342,341,323,307 of the Indian Penal Code
and 27 of the Arms Act.

This is a misuse of privilege of bail, earlier the petitioner
was on bail in this case, the charge was framed on 12.5.1998
against the petitioner also indicating him in custody but at the time
of commitment he was on bail and thereafter, due to his none
appearance, Sessions Trial was split up and Sessions Trial No.
185A of 1996 was opened against the petitioner and the petitioner
is in custody since 27.11.2012.

It is submitted that in near future the trial is not likely to be

concluded as file of original Sessions Trial No. 185 of 1996 has recently been dispatched from Munger to the Court of A.D.J, Sheikhpura and the petitioner by remaining in custody has been sufficiently penalized, other accused persons who faced Sessions Trial No. 185 of 2009 have already been acquitted and as such, the petitioner now also deserves sympathetic consideration to which the learned APP opposes by submitting that due to none appearance of the petitioner, the case remaining pending.

In the facts and circumstances stated above, considering the period of detention, 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 the like amount each to the satisfaction of the leaned Additional District Judge, Sheikhpura in connection with Sheikhpura P.S. case No. 195 of 1994, subject to the conditions that one of the bailors must be a 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)

Prakash/-

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