

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22781 of 2016

Arising Out of PS.Case No. -541 Year- 2014 Thana -GAYA MUFFSIL District- GAYA

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Kamlesh Kumar Son of Lakho Sao Resident of village - Nauranga, P.S.
Muffasil, District - Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranaya Shanker Sinha, Adv.

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 31.12.2014
in connection with Mufassil (Gaya) P.S. Case No. 541 of 2014
(G.R. No. 6051 of 2014) registered for offences under Sections
365 of the Indian Penal Code. However, the police has submitted
charge sheet under Section 364(A) of the Indian Penal Code.

Earlier bail application of the petitioner was rejected
vide Cr. Misc. Nos. 25316 of 2015 and 54285 of 2015 with
observation to the Trial Court to conclude the trial preferably
within a period of three months from the date of
receipt/production of a copy of the order. This is the third attempt
on behalf of the petitioner for grant of bail.

A report has been called for from the Court below
regarding the stage of the case which is kept at Flag 'X'.

On behalf of learned counsel for the petitioner it is submitted that the petitioner is in custody since 31.12.2014. There is no allegation of tempering of the witnesses alleged against the petitioner. The petitioner has been named by the victim in his statement recorded under Section 164 Cr.P.C. along with other accused persons. The other accused have been granted bail vide Cr. Misc. No. 13091 of 2015, Cr. Misc. No. 37102 of 2015, Cr. Misc. No. 51757 of 2015, Cr. Misc. No. 9752 of 2016 and Cr. Misc. No. 43930 of 2015.

On behalf of the State it is submitted that the petitioner is not named in the F.I.R. His name has come in course of the investigation.

Considering the aforesaid facts and circumstances and the fact that trial has not yet been concluded and other co-accused have been granted bail, let the petitioner above named, 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 the learned Chief Judicial Magistrate, Gaya in connection with Mufassil (Gaya) P.S. Case No. 541 of 2014 (G.R. No. 6051 of 2014).

(Sudhir Singh, J)

Prakash/-

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