

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35687 of 2016

Arising Out of PS.Case No. -163 Year- 2015 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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Bangali Sah, son of Late Gopal Sah, resident of village- Ojha Tola, P.S.
Manuapul, District- West Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 14-09-2016 Heard Sri Sanjeev Kumar, learned counsel for the

petitioner and Sri (Dr.) Mrityunjay Kumar Gautam, learned Addl.

Public Prosecutor.

This is the second attempt for grant of bail on
behalf of the petitioner. Earlier, the prayer for grant of bail of the
petitioner was rejected vide order dated 02.12.2015 passed in
Cr.Misc.No.52111 of 2015 keeping in view the seriousness of
accusation against the petitioner.

In this case, by order dated 24.08.2016 a report was
called for from the court below regarding stage of the case, which
has been received and kept at Flag-A. On perusal of the report
dated 01.09.2016, it is evident that in this case charge has been
framed on 12.01.2016 and, thereafter, summons have been issued.
Even bailable warrant of arrest has been issued for securing

attendance of witnesses. However, till date not even a single witness has come. The Court is of the opinion that without trial, the petitioner may not further be detained unnecessarily.

Keeping in view the facts and circumstances, let the petitioner, namely, Bangali Sah, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge, Bettiah, West Champaran in connection with Bettiah Muffasili(Manuapul) P.S. Case No.163/2015 giving rise to Sessions Trial No.451/2015 with conditions that (i) one of the bailors must be blood relation of the petitioner and (ii) during the trial, before the court below, the petitioner shall remain physically present on each and every date. If continuously on two dates he remains absent without prior permission of the learned trial court, his bail bond shall stand automatically cancelled.

(Rakesh Kumar, J)

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