

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40560 of 2016

Arising Out of PS.Case No. -283 Year- 2015 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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1. Suryakant Jha @ Surya Kant Kumar Jha @ Tun Jha
2. Arun Kumar Jha son of Shanti Jha Both resident of Village- Dhimoh,
P.S.- Harnaut (Gokhulpur O.P.), District- Nalanda.

.... Petitioners

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 21-09-2016 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners want to renew their prayer of bail,
which was earlier rejected vide order dated 06.04.2016 passed in
Cr. Misc. No. 4323 of 2016, on the ground that the petitioners are
in custody since 22.09.2015 after their surrender. Trial is going on
and Asha Kumari who is an eye witness has been examined as PW
1 in Session Trial No. 453 of 2015 wherein she has been declared
hostile and as she has not supported the prosecution version.

Learned APP fairly submits that now Asha Kumari
is not supporting the prosecution version.

In the facts and circumstances stated above, under the
changed circumstances, the petitioners above named are directed
to be released on bail on execution of bail bonds of Rs. 10,000/-

(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Nalanda at Bihar Sharif in Sessions Trial No. 453 of 2015 arising out of Harnaut P.S. Case No. 283 of 2015, 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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