

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34925 of 2016

Arising Out of PS.Case No. -473 Year- 2014 Thana -BHABHUA District- BHABHUA (KAIMUR)

1. Jitendra Kumar Singh @ Jitendra Pratap Singh Son of Late Satendra Pratap Singh Resident of Village- Kanta, P.S. - Saidraja, District- Chandauli (U.P.). at Present Village- Akhlaapur, P.S.- Bhabhua, District- Kaimur
..... Petitioner

Versus

1. The State of Bihar
..... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Jogendra Kumar

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 31-08-2016 Heard learned Sr. Counsel for the petitioner and learned counsel representing the State.

The petitioner wants to renew his prayer of bail, which was earlier rejected vide order dated 27.10.2015 and 18.05.2016 passed in Cr. Misc. No. 29117 of 2015 and 20855 of 2016 respectively, on the ground that the petitioner is in custody since 01.06.2015 and the informant is intentionally delaying the disposal of the case as he has filed transfer petition and on his petition the case has been transferred from the court of learned Additional Sessions Judge V, to the court of learned Additional Sessions Judge VI, Kaimur at Bhabhua. The petitioner was given liberty vide order dated 18.05.2016 to renew his prayer for bail if the trial is not concluded within two months and as such the

petitioner deserves sympathetic consideration.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that the defence has taken several times and has delayed the disposal of the case and as such the defence himself is at fault and he cannot take advantage of the same.

In the facts and circumstances stated above, considering that on the basis of transfer petition filed by the informant the case has been transferred, resulting the trial has not concluded and as such 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 learned Additional Sessions Judge VI, Kaimur at Bhabhua in Sessions Trial No. 325 of 2015 arising out of Bhabhua P.S. Case No. 473 of 2014, 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)

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