

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42915 of 2016

Arising Out of PS.Case No. -189 Year- 2015 Thana -LAXMIPUR District- JAMUI

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Santosh Kumar, son of Late Muneshwar Prasad Rajak, resident of Village -
Patsanda, P.S. - Gidhaur, District - Jamui.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ravi Ranjan, Advocate

For the Opposite Party : Mr. Sri Binod Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 19-10-2016

Heard learned counsel for the petitioner, the learned
counsel representing the State as also the learned counsel for the
informant.

The petitioner wants to renew the prayer of bail
which was earlier rejected by order dated 03.03.2016 passed in
Cri. Misc. No. 58459 of 2015, on the ground that the petitioner is
suffering in custody since 05.10.2015, and only one prosecution
witness has been examined up till now and in near future the trial
is not likely to be concluded. The informant is own niece of the
petitioner and due to land dispute the occurrence has taken place
and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. dully assisted by the learned
counsel for the informant opposes the prayer of bail by submitting
that the petitioner has caused fire arm injuries on Raja Rajak on

his neck, which is vital part and two fire arm injuries have been found on the person on Raja Rajak, and the injury has been noticed grievous, on the person of Nikita Kumari @ Chhoti Kumari, multiple fire arm injuries have been found which were termed as grievous and, as such, the petitioner does not deserves bail.

In the facts and circumstances stated above, considering that the trial is going on and there is no chance of tampering with the prosecution evidence and, as such, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge, Jamui, in connection with S.Tr. No. 157 of 2016 arising out of Laxmipur (Gidhaur) P.S. Case No. 189 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 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.)

Rajiv/-

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