

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16740 of 2016

Arising Out of PS.Case No. -130 Year- 2015 Thana -TRIVENIGANJ District- SUPAUL

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Chandeshwari Mehta Son of Satya Narayan Mehta, Resident of Village -
Harinagar (Musharniya), P.S. - Triveniganj, District - Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur

For the Opposite Party/s : Mr. Anil Kr.Singh 1(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

4 10-08-2016 Heard Sri Praful Chandra Thakur , learned counsel for
the petitioner and Sri Anil Kumar Singh, learned A.P.P.

This is the second attempt for grant of bail on behalf
of the petitioner , who is in custody since 22.7.2015 in connection
with Triveniganj P.S. Case No. 130 of 2015 earlier registered
under Sections 447, 341, 323, 324, 307, 379/ 34 of the Indian
Penal Code and Section 27 of the Arms Act. However
subsequently one of the injured died and as such charge sheet
was submitted under section 302 of the I.P.C. also and

cognizance order was passed by the learned Magistrate under section 447, 341, 323, 324, , 379, 307, 302, 34 of the Indian Penal Code and section 27 of the Arms Act.

Learned counsel for the petitioner submits that though petitioner is in custody since long till date no sufficient progress has taken place in the case before the court below . He further submits that number of other accused persons have already been granted bail and still further investigation is going on. It has also been argued that the person who received injury by sword blow given by the petitioner he has survived however one another person namely Gajendra Mehta who was assaulted by the other co- accused died . Accordingly a prayer has been made to release the petitioner on bail.

Sri Anil Kumar Singh, learned A.P.P. has opposed the prayer for bail.

In this case earlier by order dated 29.6.2016 a report was called for , which has been received and kept at flag 'A'. The report dated 14th July 2016 indicates that in the case till the date of report no adequate progress in the case has taken place. A separate record has been created, since further investigation is going on.

Keeping in view the period of custody as well as the

fact that no adequate progress has taken place in the case before the court below the court considers to extend the privilege of bail to the petitioner. Accordingly, the petitioner Chandeshwari Mehta is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Shri Sukul Ram, learned Judicial Magistrate, Supaul / concerned court in connection with Triveniganj P.S. Case No. 130 of 2015 with condition that one of the bailors must be blood relation of the petitioner and during trial the petitioner shall remain physically present on each and every date. If continuously on two dates the petitioner fails to appear before the trial court without prior permission of the trial court his bail bond shall stand automatically cancelled.

(Rakesh Kumar, J)

Praful/-

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