

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2789 of 2016

Arising Out of PS.Case No. -2 Year- 2013 Thana -WEST CHAMPARAN GRP CASE District-
WESTCHAMPARAN(BETTIAH)

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1. Ramphal Das @ Ramfal Das @ Jagarnath Das Son of Late Jhlan Das,
Resident of Village - Mawjemai Asthan, Ward No. 8, P.S. Raxaul, District -
East Champaran. Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Adya Singh

For the Opposite Party/s : Mr. Pramod Kr.Panday(App)

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

ORAL ORDER

3 15-03-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Motihari G.R.P.S.
Case No. 02 of 2013 registered for the offences punishable under
Sections 395, 379, 414, 412 of the Indian Penal Code.

The petitioner wants to renew his prayer of bail, which was
earlier rejected vide order dated 04.02.2014 passed in Cr. Misc.
No. 43725 of 2014, on the ground that the petitioner is in custody
since 07.03.2013 and in near future the trial is not likely to be
concluded as not a single prosecution witness has been examined
which is evident from the report of learned trial Judge itself and in
this case the petitioner is not named in the first information report,
he has not been put on test identification parade, nothing has been
recovered from his conscious possession and other similarly

situated co-accused namely, Sagir ahmad and Sunil Kumar Sah have been allowed bail by different co-ordinate Benches of this Court, the petitioner has got criminal antecedent but in three cases he is on bail.

Learned APP fairly submits that in near future the trial is not likely to be concluded.

In the facts and circumstances stated above, 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 Vth, Bettiah (West Champaran) in S. Tr.No. 267 of 2015 arising out of Motihari G.R.P.S. Case No. 02 of 2013, 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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