

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31797 of 2016

Arising Out of PS.Case No. -79 Year- 2009 Thana -CHANDI District- BHOJPUR

=====

Upendra Singh @ Upendra Yadav Son of Baban Singh, Resident of
Village-Jahanpur, P.S- Chandi, District- Bhojpur at Ara (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Manoj Kumar

For the Opposite Party : Mr. Sri Ajay Kumar-1

=====

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

3 17-09-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner wants to renew his prayer for bail which was earlier rejected by orders dated 12.09.2011 and 26.03.2014 passed in Cr. Misc. Nos. 22749 of 2011 and 51661 of 2013 on the ground that the petitioner is in custody since 08.10.2010 only on suspicion. The informant has alleged that his daughter was strangulated to death but after knowing reality the informant has filed compromise petition and during trial seven witnesses have already been examined out of ten witnesses, the informant and three other witnesses have turned hostile and they have not supported the prosecution case and as such the petitioner now deserves sympathetic consideration, to which the learned

A.P.P. submits that copy of the deposition of those witnesses have not been filed.

Considering submissions of the parties and further in the facts and circumstances as stated above, now the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-IV, Bhojpur at Ara in Sessions Trial No. 400 of 2013 arising out of Chandi P.S. Case No. 79 of 2009, 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)

Abhay/-

U		T	
---	--	---	--