

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47903 of 2016

Arising Out of PS.Case No. -766 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

=====

Rahul Kumar @ Rahul Kumar Yadav, son of Girish Yadav, resident of
Mohalla- Mayaganj, P.S. Barari, District- Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Pravin Kumar Sinha, Advocate

For the Opposite Party : Mr. Sri Shyameshwar Dayal (APP)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 09-11-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew the prayer of bail,
which was earlier rejected by order dated 09.05.2016 passed in Cr.
Misc. 12858 of 2016, on the ground that the petitioner is suffering
in custody since 21.11.2015, and the trial has not been concluded
as per direction of this Court and the petitioner was given liberty
to renew his prayer for bail. From the impugned order dated
23.09.2016 it will reveal that the trial has not been concluded and
in near future it is not likely to be concluded, other co-accused
have been allowed bail and on the seizure list there is no signature
of the petitioner, he has got clean antecedent and there is no
chance of tampering with the prosecution evidence.

The learned APP fairly submits that the trial has not

been concluded as per direction of this Court within four months and the petitioner was given liberty to renew his prayer for bail.

In the facts and circumstances stated above, now 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 the learned Chief Judicial Magistrate, Bhagalpur, in connection with Kotwali (Adampur) P.S. Case No. 766 of 2015 (G.R. Case No. 4282 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/-

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