

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13361 of 2017

Arising Out of PS.Case No. -337 Year- 2015 Thana -AMARPUR District- BANKA

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Md. Asad @ Asad Son of Kayyum, Resident of Village-Naya Tola
Garibpur, Police Station-Amarpur, District-Banka.... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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

ORAL ORDER

2 12-04-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew his prayer of bail, which was earlier rejected vide order dated 20.06.2016 passed in Cr. Misc. No. 13440 of 2016, on the ground that the petitioner is suffering in custody since 15.11.2015 and the petitioner was given liberty to renew the prayer of bail after examination of the victim girl. During trial the victim girl has already been examined and she has not supported the prosecution version during cross-examination and as such the petitioner deserves sympathetic consideration.

Learned APP after going through the statement of the victim girl vide annexure-4 fairly submits that the victim during cross-examination has not supported the prosecution version and stated regarding innocence of the petitioner.

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 Ist, Banka in S. T. No. 42 of 2016 arising out of Amarpur P.S. Case No. 337 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)

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