

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15363 of 2017

Arising Out of PS.Case No. -24 Year- 2014 Thana -SAHPUR District- BHOJPUR

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Pankaj Rai Son of late Suresh Rai Resident of Village- Shahpur, P.S. -
Shahpur, District- Bhojpur at Ara(Bihar). Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Abhay Kumar Pandey

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

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

ORAL ORDER

2 19-04-2017 Heard learned Sr. Counsel for the petitioner and
learned counsel representing the State.

The petitioner wants to renew his prayer of bail, which was earlier thrice rejected vide order dated 16.07.2014, 13.05.2015 and 14.09.2016 passed in Cr. Misc. No. 18293 of 2014, 9208 of 2015 and 35874 of 2016 respectively, on the ground that there is no specific allegation as to who is the main assailant. The doctor in post mortem has found only one injury, co-accused Nikki Pandey has been allowed bail by another co-ordinate Bench of this Court, two witnesses have not stated that the petitioner Pankaj Rai is the assailant. There was direction to conclude the trial within six months but the trial has not been concluded and in near future the trial is not likely to be concluded and as such the petitioner deserves sympathetic consideration as the petitioner was given



liberty to renew his prayer of bail.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the period of detention and further that the trial has not been concluded, 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 6th Additional Sessions Judge, Bhojpur at Ara in Sessions Trial No. 401 of 2016 arising out of Shahpur P.S. Case No. 24 of 2014, 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.

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(Jitendra Mohan Sharma, J)

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