

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16044 of 2017

Arising Out of PS.Case No. -266 Year- 2009 Thana -KOTWALI District- PATNA

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1. Ravi Rai S/o Moti Rai Resident of Dakshni Mandiri, P.S. Budha Colony,
District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 08-05-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner is in custody since 18.07.2009 in connection
with S.Tr. No. 67 of 2010 arising out of Kotwali P.S. Case No. 266 of
2009 registered under Sections 302, 120(B) of the Indian Penal Code
and Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that the
petitioner is innocent and has not committed any offence. In fact, earlier
vide order dated 28.09.2010, 06.02.2013 and 20.08.2016, Annexure-1
series, the prayer for bail of this petitioner had been rejected with
observation that the trial court shall expedite the trial within three
months, more particularly vide order dated 20.08.2016, but it is evident
from the report of the trial court, which is at flag-B, that out of 9
witnesses, only six have been examined in this case, therefore, the



matter is still pending. Since the trial of the Sessions Trial No. 67 of 2010 arising out of Kotwali P.S. Case No. 266 of 2009 is still pending in spite of the repeated directions of this Court, the petitioner, who is rotting in custody for the last eight years, may be enlarged on bail.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Patna in connection with Sessions Trial No. 67 of 2010 arising out of Kotwali P.S. Case No. 266 of 2009.

(Arvind Srivastava, J.)

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