

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8592 of 2017

Arising Out of PS.Case No. -155 Year- 2014 Thana -BALRAMPUR District- KATIHAR

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1. MD. MAJIDUL@ MANJHI @ MAJIDUL @ MAJIUL, Son of Md. Sajjad Ali, Residence of Village- Daribhitta, Police Station- Balrampur, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh

For the Opposite Party/s : Mr. Sri Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 29-03-2017 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 25.03.2015 and the report of the trial court goes to show that the record is pending for defence witness.

The material available on the record goes to show that the prosecution evidence was closed on 05.02.2016 but the statement of accused persons was recorded on 08.12.2016 and since then the record is pending for defence witness. It would also appear from perusal of Annexure-2 to this petition that this Court had directed the trial court to conclude the trial of the petitioner within two months from the date of receipt/production of copy of



the order dated 16.11.2016 passed in Cr. Misc. No. 35878 of 2016, which was received in the court below on 22.11.2016 but, even then, the trial court did not take any care towards the direction of this Court.

However, submission on behalf of the petitioner is that the informant being major was a consenting party and, as a matter of fact, she implicated the petitioner when some dispute arose between them. It is further submitted that, moreover, petitioner has sufficiently been punished by remaining in jail custody for more than two years and, now, there is no apprehension of tampering with the prosecution evidence.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st , Katihar in connection with Balrampur P.S. Case No. 155 of 2014.

(Hemant Kumar Srivastava, J)

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