

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8903 of 2017

Arising Out of PS.Case No. -64 Year- 2016 Thana -NAYAGAON District- SARAN

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Prakash Kumar, Son of Shambhu Prasad, resident of Mohalla - Mohan Nagar, Husse Chapra, P.S. Chapra Town, District - Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 29-03-2017

The application is for grant of bail in connection with

Trial No. 1516 of 2017, arising out of Nayagaon P.S. Case No. 64 of 2016 for offence under Section 379 of the Indian Penal Code.

It is submitted on behalf of petitioner that he has earlier moved before this Court for grant of regular bail and this Court, vide order dated 28.01.2017 passed in Cr. Misc. No.48736 of 2016 rejected the application for bail of the petitioner with observation that he may renew his prayer for bail after framing of charge and now the charge has been framed, which is apparent from Annexure-6 to this application and the petitioner is in custody since 5.9.2016.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts and



circumstances and period of custody, let the petitioner, Prakash Kumar, be enlarged on bail on furnishing bail bond of Rs.25,000 with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VII, Saran at Chapra, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine rhyme or reasons, the prosecution will have liberty to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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