

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7268 of 2017

Arising Out of PS.Case No. -433 Year- 2007 Thana -SAHARSA District- SAHARSA

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Raju Mandal @ Raju Kumar @ Birendra Mandal, son of Late Chulahai Mandal, resident of Village- Piprahi, P.S.- Raghapur, District- Supaul.

... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 22-02-2017 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 13.04.2016 passed in Cr. Misc. No. 2582 of 2016, on the ground that the petitioner is in custody since 07.08.2013 but up-till-now only three prosecution witnesses have been examined and in near future the trial is not likely to be concluded, the petitioner is only earning member of his family and entire family is on the verge of starvation, the trial has not been concluded within the period of six months as directed by this Court and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering



that the trial has not been concluded within the time given by this Court and now considering the period of detention, 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 Ist Additional Sessions Judge, Saharsa in S. Tr. No. 330 of 2013 arising out of Sadar P.S. Case No. 433 of 2007, 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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