

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30769 of 2017

Arising Out of PS.Case No. -304 Year- 2013 Thana -KOTWALI District- PATNA

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1. Nitish Kumar S/o Anand Ram @ Nandu Mahto, Resident of Village-
Shanti Tola, P.S.- Barh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap

For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 20-09-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody since 06.07.2013 in
connection with a case registered for the offence punishable under
Sections 302 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
charge of the present case has been framed on the 24.01.2014. Out
of the five witnesses to be examined, only one has been examined
till date. The petitioner has already been in custody for more than
4 ¼ years.

Taking into consideration the fact and circumstances
of the case, 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 the learned Additional District and Sessions Judge, VIII, Patna, in connection with Patna Kotwali P.S. Case No. 304/2013, subject to the following conditions:-

- (1) One of the bailors will be his own relative, namely, father, mother, brother, sister and/or his wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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