

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34575 of 2017

Arising Out of PS.Case No. -100 Year- 2011 Thana -RAJIVNAGAR District- PATNA

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Umesh Paswan, S/o Late Adalat Paswan, R/o Village- Mahuar, P.S.- Bihta,
District- Patna. A/P Resident of Mohalla - Rajeev Nagar Road No. 1, P.S.-
Rajeev Nagar, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhirendra Kumar Sinha, Advocate

For the Opposite Party : Mr. Ataur Rahman (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 02-08-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew the prayer of bail,
which was earlier thrice rejected vide order dated 04.02.2015,
05.04.2016 and 15.02.2017 passed in Cr. Misc. 43685 of 2014, Cr.
Misc. No. 5559 of 2016 and Cr. Misc. No. 5122 of 2017
respectively, on the ground that the petitioner is in custody since
22.03.2014 and in near future the trial is not likely to be concluded
as the case is pending for prosecution evidence and no prosecution
witness has been examined up till now, though there was direction
by the court to conclude the trial within four months, the petitioner
renewed his prayer of bail thereafter. The petitioner being the
friend of the husband of the deceased has been made accused in



this case.

The learned A.P.P. opposes the prayer of bail by submitting that the informant has made allegation against the petitioner also.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Additional Sessions Judge IX, Patna, in connection with S.Tr. No. 838 of 2014 arising out of Rajeev Nagar P.S. Case No. 100 of 2011, 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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