

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37790 of 2017**

Arising Out of PS.Case No. -506 Year- 2015 Thana -LAKHISARAI District- LAKHISARAI

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Md. Sajjad @ Shahzad, Son of Md. Nasir, R/o Village- Oraiya, P.S.-  
Lakhisarai, District- Lakhisarai.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1 (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

2      16-08-2017                      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 30.03.2016, 09.11.2016 and 19.04.2017 passed in Cr. Misc. 5246 of 2016, Cr. Misc. No. 46111 of 2016 and Cr. Misc. No. 14621 of 2017 respectively, on the ground that the petitioner is in custody since 08.12.2015 and the trial has not been concluded as yet, from medical report, it reveals that the informant was pregnant from before the alleged date of occurrence and only with a view to put pressure this false case has been lodged. The trial has not been concluded within three months as given by this Court and only two prosecution witnesses have been examined and there is no



progress in the trial, resulting, in near future the trial is not likely to be concluded.

The learned A.P.P. submits that the trial has not been concluded.

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 District and Sessions Judge- III, Lakhisarai, in connection with Sessions Trial No. 87 of 2016 arising out of Lakhisarai P.S. Case No. 506 of 2015, 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.)**

Rajiv/-

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