

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36471 of 2017

Arising Out of PS.Case No. -131 Year- 2014 Thana -GOPALPUR District- PATNA

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Manil Singh @ Manil Kumar Singh, aged about 36 Years, Son of Ram
Bilash Singh @ Ramjee Singh, R/o Village- Sona Gopalpur, P.S.-
Gopalpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Prasad, Advocate

For the Opposite Party/s : Mr. Braj Kishore Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 09-08-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel representing the
State.

The petitioner wants to renew the prayer of bail,
which was earlier twice rejected vide order dated 11.04.2016 and
21.09.2016 passed in Cr. Misc. 51489 of 2015 and Cr. Misc. No.
41426 of 2016 respectively, on the ground that the petitioner is in
custody since 23.03.2015, postmortem report does not support the
prosecution version as it is quite contradictory and further the trial
has not been concluded within the time given by this court and up
till now the case is fixed for appearance and, as such, the trial is
not likely to be concluded.

The learned A.P.P. duly assisted by the learned



counsel for the informant opposes the prayer of bail by submitting that after completion of appearance the trial will start.

In the facts and circumstances stated above, considering that inspite of direction of this court, the trial has not been started though there was direction to conclude the same and, as such, 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 A.D.J-VIII, in connection with Sessions Trial No. 136 (A) of 2015 arising out of Gopalpur P.S. Case No. 131 of 2014, 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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