

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59200 of 2017

Arising Out of PS. Case No.-40 Year-2015 Thana- BAIKUNTHPUR District- Gopalganj

Badal Rai @ Satyadeo Rai, S/o Late Jagat Rai, Resident of village:-
Faujulahpur (Kalyanpur Tola), Police Station- Baikunthpur, District-
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Binode Bariar

For the Opposite Party/s : Mr. SRI ANIL PRASAD SINGH

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

ORAL ORDER

3 20-12-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner wants to renew his prayer of bail, which was
earlier rejected vide order dated 10.12.2015, 21.09.2016 and
26.04.2017 passed in Cr. Misc. No. 47397 of 2015, 40700 of
2016 and 16715 of 2017 respectively, on the ground that the
petitioner is in custody since 08.08.2015 and up-till now the trial
has not been concluded inspite of direction given by this Court
and in near future the trial is not likely to be concluded. On the
basis of letter of the trial court further two months time was
granted to conclude the trial on 30.08.2017 but the trial has not
been concluded. Only six prosecution witnesses have been
examined.



Learned APP opposes the prayer of bail but fairly submits that the trial has not been concluded inspite of direction given by this Court.

In the facts and circumstances stated above, considering that there is no chance of tampering with prosecution evidence and the trial has not been concluded within the time given by this Court, the petitioner above named is directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II, Gopalganj in S. Tr. No. 385 of 2015 arising out of Baikunthpur P. S. Case No. 40 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)

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