

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60775 of 2017

Arising Out of PS.Case No. -199 Year- 2014 Thana -GAURICHAK District- PATNA

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Sikandar Kumar, Son of Late Shivendra Prasad, Resident of Village-
Parwalpur, P.S. Parwalpur, District- Nalanda.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raj Bansh Dubey, Advocate

For the Opposite Party : Mr. Sri Binod Kumar 3 (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-12-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew the prayer of bail, which was earlier rejected vide order dated 12.02.2016, 14.12.2016 and 30.08.2017 passed in Cr. Misc. 3565 of 2016, Cr. Misc. No. 53411 of 2016 and Cr. Misc. No. 40964 of 2017 respectively, on the ground that the petitioner is in custody since 14.08.2014, the trial has not been concluded within stipulated period and up till now only one prosecution witness has been examined, there is no chance of tampering with the prosecution evidence and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner has been identified in the test



identification test by the informant and the informant has stated that the petitioner administered injection causing him senseless and fled away with loaded truck.

In the facts and circumstances stated above, considering that trial has not been concluded within the stipulated period and in near future it is not likely to be concluded, there is no chance of tampering with prosecution evidence 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 Additional District Judge, Patna City, Patna, in connection with S.Tr. No. 121 of 2017 arising out of Gaurichak P.S. Case No. 199 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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