

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1875 of 2017

Arising Out of PS.Case No. -642 Year- 2014 Thana -KHAZANIHAT District- PURNIA

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Mukesh Kumar, S/o Khushi Lal Sah, Resident of Mohalla- Bari Hat, P.S.-
K.Hat Sahayak, District- Purnia. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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

ORAL ORDER

2 15-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew his prayer of bail, which was earlier twice rejected vide order dated 17.03.2015 passed in Cr. Misc. No. 52043 of 2014 and again vide order dated 24.11.2015 passed in Cr. Misc. No. 35174 of 2015, on the ground that the petitioner is suffering in custody since 23.08.2014 and the trial has not been concluded, up-till-now only four prosecution witnesses have been examined out of 8 chargesheet witnesses and in near future the trial is not likely to be concluded. The recovery of other articles has got no evidentiary value in the eye of law as in the fardbeyan it is only mentioned that the miscreants took away Rs. 1,75,000/- and there is no mentioning regarding other articles.

Learned APP opposes the prayer of bail.



In the facts and circumstances stated above, considering the period of detention of the petitioner and further that trial has not been concluded within the time given in the order dated 24.11.2015, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Ist Additional Sessions Judge, Purnea in Sessions Trial No. 51 of 2015 arising out of K. Hat (Sahayak) P.S. Case No. 642 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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