

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.800 of 2017

Arising Out of PS.Case No. -30 Year- 2013 Thana -RAIL District- LAKHISARAI

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Ramashray Saw @ Ramashray Sah @ Ramashray Singh, S/o Late Banarsi
Saw, R/o Village Etoun, Po Mananpur, P.S. Chanan, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashwani Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Rajendra Singh Shastriji, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 15-02-2017 Heard both sides.

The petitioner seeks bail in GRP Jamalpur P.S. Case
No.30 of 2013, registered for the offences punishable under
Sections 25(1) ab (11.aa) (1b) e/26/35 of the Arms Act.

The prayer for bail of the petitioner was earlier
rejected vide order dated 09.02.2015 passed in Cr.Misc.No.1538
of 2015 with a direction to the trial court to conclude the trial
within nine months from the date of receipt or production of a
copy of this order. The petitioner again moved for bail in
Cr.Misc.No.10194 of 2016 as the trial was not concluded within
nine months.

A report was called for from the trial court and the
learned 3rd Additional Sessions Judge, Lakhisarai has reported that



the trial was likely to be concluded within two months. Accordingly, the prayer for bail of the petitioner was rejected vide order dated 17.08.2016 passed in Cr.Misc.No.10194 of 2016. More than five months have already lapsed, but the trial has not yet been concluded. The petitioner is in custody since 29.09.2014. The petitioner has already remained in jail for two and half years.

Considering the facts aforesaid, the prayer for bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 5th Additional Sessions Judge, Lakhisarai in connection with Sessions Trial No.34 of 2014, arising out of GRP Jamalpur P.S. Case No.30 of 2013, subject to the conditions that one of the bailors shall be a government servant and the petitioner shall not absent himself on any date without any plausible reason during the course of trial, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J)

Arvind/-

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