

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3140 of 2017

Arising Out of PS.Case No. -3 Year- 2012 Thana -MAHILA P.S. District- PATNA

=====

1. Prashant Kumar Jha @ Prasant Jha, Son of Prabhakar Jha, resident of
Hawai Adda Colony, Quarter No.- 2, P.S.- Hawai Adda, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Nilesh Kumar

For the Opposite Party : Mr. Smt. Pronati Singh

=====

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

2 08-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew the prayer of bail,
which was earlier twice rejected vide order dated 03.12.2015
passed in Cr. Misc. 29506 of 2015 and order dated 07.09.2016
passed in Cr. Misc. No. 28571 of 2016, on the ground that the trial
has not been concluded within four months and the petitioner is
suffering in custody since 30.07.2012, up till now no prosecution
witness has been examined and the petitioner was given liberty to
renew the prayer of bail, in near future the trial is not likely to be
concluded, other co-accused are on bail and, as such, the petitioner
deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail.



In the facts and circumstances stated above, considering the detention of the petitioner and further that there is no chance of tampering with the prosecution evidence, within the time given the trial has not been concluded 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 Sessions Judge-VIII, Patna, in connection with Sessions Trial No. 1231/12/S.Tr. No. 430 of 2014, arising out of Mahila P.S. Case No. 03 of 2012, 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.)

Rajiv/-

U		T	
---	--	---	--

