

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10625 of 2017

Arising Out of PS.Case No. -141 Year- 2015 Thana -NATHNAGAR District- BHAGALPUR

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RAJNISH YADAV Son of Deepak Yadav, Resident of Village-harijan
Tola, Rampur Khurd, P.S.-Nathnagar (Madhusudanpur), District-Bhagalpur.
.... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Sri Ramchandra Singh

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

ORAL ORDER

2 08-03-2017 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 02.03.2016 and 07.09.2016 passed in Cr. Misc. No. 55764 of 2015 and 35789 of 2016 respectively, on the ground that the petitioner is in custody since 14.09.2015, only three prosecution witnesses have been examined and all turned hostile and did not support the prosecution case, thereafter, no prosecution witness has been examined, though there was direction of this Court to conclude the trial preferably within four months. Learned trial court has kept the case on day to day basis, in spite of that rest witnesses are not turning up, resulting, the petitioner is suffering in custody and the petitioner was given liberty to renew his prayer of bail.



Learned APP fairly submits that from the order sheet of the learned court below it reveals that no witness after 07.09.2016 has been examined.

In the facts and circumstances stated above, 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 4th Additional Sessions Judge, Bhagalpur in S. T. No. 748 of 2015 arising out of Nathnagar (Madhusudanpur) P.S. Case No. 141 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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