

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 12837 of 2017

Arising Out of PS.Case No. -7 Year- 2016 Thana -HASPURA District- AURANGABAD

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Biru Kumar @ Veer Kumar Singh @ Veer Singh Son of Upendra Singh
resident of village Birpur, P.S. - Murar, District - Buxar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Alok

For the Opposite Party/s : Mr. Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 03-05-2017 Heard Sri Alok, learned counsel for the petitioner and

Sri Harendra Prasad, learned Addl. Public Prosecutor.

This is the 2nd attempt for grant of bail on behalf of
the petitioner. Earlier, the prayer for bail of the petitioner was
rejected on 29-06-2016, vide Cr. Misc. No. 40767 of 2016.

Learned counsel for the petitioner submits that
petitioner has been made accused in the present case i.e. Haspura
P.S. Case No. 7 of 2016, registered for offence under Sections
394, 395, 328, 412 and 120(B) of the Indian Penal Code, on the
basis of confession of one of the co-accused, who was already
granted bail. He further submits that despite the fact that petitioner
is in custody since 02-08-2016, though in this case chargesheet
was submitted and cognizance order was passed, till date, the case
has not been committed to the court of sessions.

In this case, by order dated 29-03-2017, a report was
called for from the court below, which has been received and kept



at flag 'A'. The report dated 11th April, 2017 indicates that after cognizance, the case has not been committed to the court of sessions. Ofcourse, a plea has been taken that petitioner is not being produced from the jail.

Be that as it may, considering the fact that case has not been committed to the court of sessions as well as the fact that the accused, on whose confession petitioner was made accused, has already been granted bail, there is no reason to further detain the petitioner.

Let the petitioner namely Biru Kumar @ Veer Kumar Singh @ Veer Singh be enlarged 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 S.D.J.M., Daudnagar, District Aurangabad in connection with Haspura P.S. Case No. 07 of 2016, with condition that one of the bailor must be blood relation of the petitioner and secondly, during the trial, the petitioner shall remain physically present on each and every date. If continuously on two dates the petitioner fails to appear before the trial court, without prior permission of the trial court, his bail-bond shall stand automatically cancelled.

(Rakesh Kumar, J.)

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