

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15246 of 2017

Arising Out of PS.Case No. -345 Year- 2015 Thana -BEGUSARAI TOWN District- BEGUSARAI

Md. Jubair S/o Md. Munna, Resident of Village- Neenga, P.S.- Barauni,
District- Begusarai. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

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

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

ORAL ORDER

2 19-04-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew his prayer of bail, which was earlier rejected vide order dated 29.03.2016 passed in Cr. Misc. No. 5174 of 2016, on the ground that the petitioner is suffering in custody since 28.07.2015, nothing was recovered from his conscious possession, the Police has got recorded the alleged confessional statement after adopting 3rd degree method, the trial has not been concluded within nine months and the petitioner was given liberty to renew his prayer of bail. Up-till now only three prosecution witnesses have been examined and out of three witnesses one has turned hostile and two have not identified the petitioner and as such the petitioner deserves sympathetic consideration.

Learned APP fairly submits that the trial has not been



concluded within nine months time as given by this Court.

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 Additional Chief Judicial Magistrate III, Begusarai in Tr. No. 1013 of 2015 arising out of Begusarai (Town) P.S. Case No. 345 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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