

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8743 of 2017

Arising Out of PS.Case No. -104 Year- 2010 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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1. Annu Bhagat, Son of Late Arjun Bhagat, Resident of village - Paratapur,
P.S. Mehshi, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 22-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew the prayer of bail,
which was earlier rejected vide order dated 25.11.2011,
29.06.2012, 08.05.2013 and 20.05.2016 passed in Cr. Misc. 22218
of 2011, Cr. Misc. 24134 of 2012, Cr. Misc. 15057 of 2013 and
Cr. Misc. 15245 of 2016 respectively on the ground that the
petitioner is in custody since 06.10.2010 and up till now the trial
has not been concluded, two prosecution witnesses are still to be
examined, last witness examined is on 02.08.2016 and thereafter
no prosecution witness has been examined which is evident from
the report of learned Trial Judge. The petitioner was given liberty
to renew his prayer of bail, if trial is not concluded within six



months and already six months have expired and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that the trial has not been concluded and the petitioner is in custody for more than six years.

In the facts and circumstances stated above, 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 9th Additional Sessions Judge, Motihari, East Champaran, in connection with S. Tr. No. 297 of 2011 arising out of Mehsi P.S. Case No. 104 of 2010, 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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