

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21671 of 2017

Arising Out of PS.Case No. -650 Year- 2014 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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Manoj Chouhan Son of Late Sheo Tahal Chouhan, Resident of Village-
Lembua, P.S.- Madanpur, District- Aurangabad at present -Mohalla-
Gaurakshani near Durga Mandir, P.S.- Sasaram (N) District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rameshwar Singh

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 28-06-2017 Heard both sides.

The petitioner had earlier moved for bail which was
considered and disposed of under order dated 15.12.2015
(Annexure-1) observing as under:-

“Considering the allegation and
other materials available on record, the
prayer for bail made by the petitioner is
rejected. Since, the petitioner is in custody
for more than 18 months, this Court grants
the petitioner liberty to renew prayer for bail
if the trial does not record adequate progress
in the Court below itself within eight months
from the date of receipt//production of a
copy of this order.”

It is stated that the petitioner continues to incarcerate
in the custody for more than three years by now. The victim was



assessed major by the doctor. Petitioner and the victim are workers.

A status report was called for which has been received. Perused the report. It appears that in spite of step taken by the learned trial Court, no witness has been produced by the prosecution.

Considering the facts and circumstances of the case, the prayer made in the present application is declined and the case is disposed of by the following order:-

Let the trial Court endeavour and examine all prosecution witnesses within 05 months from the date of receipt/production of a copy of this order, failing which the petitioner shall be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Rohtas, Sasaram in connection with Sasaram (T) P.S. Case No. 650 of 2014 subject to the following two conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) In the event of grant of bail the petitioner shall continue to appear before the Court below in person on each date fixed at the trial. In case of default in



doing so on two consecutive dates, trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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