

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35016 of 2017

Arising Out of PS.Case No. -51 Year- 2015 Thana -LAKHNIAUR District- MADHUBANI

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Manoj Chaudhary, son of Late Vijay Chaudhary, resident of Village-
Bishanpatti, P.S.- Lakhanaur, District- Madhubani.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party/s : Mr. Sri Bisheshwar Ram (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 09-08-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew the prayer of bail,
which was earlier twice rejected vide order dated 16.05.2016 and
15.03.2017 passed in Cr. Misc. 12473 of 2016 and Cr. Misc. No.
11890 of 20178 respectively, on the ground that the petitioner is in
custody since 31.08.2015 having no criminal antecedent, medical
evidence does not support the prosecution version and age of the
victim has been found 17 years, the case has been lodged after
inordinate delay and up till now the trial has not been concluded
though there was direction to conclude the same within four
months and the petitioner was given liberty to renew his prayer for
bail.



The learned A.P.P. submits that the informant in her statement recorded under Section 164 Cr.P.C. has supported the allegation.

In the facts and circumstances stated above, now the 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 1st Additional Sessions Judge, Madhubani, in connection with Lakhnaur P.S. Case No. 51 of 2015 (G.R. No. 458 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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