

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.7412 of 2017**

Arising Out of PS.Case No. -117 Year- 2013 Thana -PARAIYA District- GAYA

1. Balram Kumar @ Baliram Kumar, S/o Sri Sudama Prasad, R/o Village-Jhikatiya, P.S.- Paraiya, Dist.- Gaya.

.... Petitioner/s

Versus

## 1. The State of Bihar.

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Sri Sanjay Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

4 17-05-2017

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is in custody since 14.11.2013.

The petitioner is the main assailant.

It appears that earlier prayer for bail of the petitioner has been refused on 23.01.2015 vide Cr. Misc. No. 35559 of 2014 with direction to the learned trial Judge to expedite the trial. The Superintendent of Police, Gaya was also directed to ensure production of the witnesses on the date fixed by the trial Judge.

The report of the learned trial Judge reveals that



the charges were framed on 19.11.2015 and thereafter the trial is running for prosecution evidence.

Submission of the petitioner is that last prosecution witness was examined on 17.02.2016 and thereafter no prosecution evidence has been produced.

Considering the entire facts and circumstances of the case and the period already undergone by the petitioner, let the petitioner, above named, 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 learned 1<sup>st</sup> Additional Sessions Judge, Gaya/successor Court in connection with S.Tr. No. 61 of 2016 arising out of Paraiya Police Station Case No. 117 of 2013, subject to the condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below as well as condition that the petitioner shall fully cooperate with the trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

**(Birendra Kumar, J)**

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