

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44002 of 2017

Arising Out of PS.Case No. -8 Year- 2016 Thana -PATAHI District- EAST CHAMPARAN
(MOTIHARI)

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1. Nek Mohammad son of Late Tabarak, resident of Village- Barewa, P.O.
and P.S. Dhaka, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is languishing in jail since
03.02.2016, seeks bail in connection with Sessions Trial No. 873
of 2016 arising out of Patahi P.S.Case No. 08 of 2016 registered
under Sections 399, 402, 414 of the Indian Penal Code and 25(1-
B)(a), 26 and 35 of the Arms Act.

The prayer for bail of the petitioner was earlier
rejected by this Court vide order dated 08.02.2017 passed in
Cr.Misc. No. 3164 of 2017 observing that if the trial is not
completed within seven months from the date of framing of
charge, the petitioner would be at liberty to renew his prayer for
bail.



It is submitted by the learned counsel for the petitioner that the charges were framed in this case on 4th January, 2017 and till date no witness has been examined on behalf of the prosecution.

Learned counsel for the State, opposing the application for grant of bail, has submitted that there is no fresh ground for reconsideration of bail of the petitioner, which was rejected twice earlier by this Court.

I have heard the parties and perused the record.

In the light of the observations made in my previous order dated 08.02.2017 passed in Cr.Misc. No. 3164 of 2017, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned XIVth Additional Sessions Judge, East Champaran at Motihari in connection with Sessions Trial No. 873 of 2016 arising out of Patahi P.S.Case No. 08 of 2016.

(Ashwani Kumar Singh, J)

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