

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58075 of 2017

Arising Out of PS.Case No. -39 Year- 2004 Thana -BAKHTIYARPUR District- PATNA

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1. Birendra Rai, son of Mouji Rai, resident of Village- Tekabigha, P.S. Bakhtiyarpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sucheta Yadav

For the Opposite Party/s : Mr. Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 13-12-2017 Heard the parties.

Earlier the prayer for bail of the petitioner was rejected by this Court, vide order dated 20.6.2017 passed in Cr. Misc. No.13217 of 2017 with direction to the learned trial court to get the petitioner examined by a Medical Board and after submission of the report, he will consider his prayer for bail . It appears that though the Medical Board has submitted that he is a patient and suffering from leprosy with trophic ulcer but in spite of that the prayer for bail of the petitioner was rejected.

Submission of the learned counsel for the petitioner is that he is in custody for more than 16 months, he has no criminal antecedent and he is ready to abide by any condition imposed upon him.



Heard learned A.P.P. also.

Having heard both sides and in view of the report of the Medical Board that the petitioner is suffering from leprosy with trophic ulcer, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-III, Barh, Patna in connection with Special Case No.18-B/2004 arising out of Bakhtiyarpur P.S.Case no.39 of 2004, with condition that he will co-operate in disposal of the trial and will also appear as and when required by the learned court below; otherwise his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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