

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5013 of 2017

Arising Out of PS.Case No. -289 Year- 2015 Thana –RAM KRISHNA NAGAR District- PATNA

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Awadhesh Kumar Jaiswal @ Chuhawa, S/o Late Nageshwar Pd. jaiswal,
resident of Chik Shohra Bazar, P.S.-Chik Shohra, Dist. Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tilak Sao, Advocate.

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 20-03-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Sessions Trial No. 508 of 2016 arising out of Ram Krishna Nagar P.S. Case No. 289 of 2015 instituted for the offence under Sections 364 and 201/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that occurrence is said to have taken place on 17.4.2015 and the case has been registered on 27.11.2015 after delay of seven months. Mere suspicion has been raised against the petitioner. The petitioner is languishing in custody since 7.12.2015. It has further been submitted that in other cases as referred in paragraph-3 of the bail petition, the petitioner is on bail.

A report was called for from the court below. The court below has reported that charge has been framed but no witness has been examined till date.



Case diary has been received.

The learned A.P.P. after perusing the case diary has submitted that mere suspicion has been raised against the petitioner. From the written report also it appears that suspicion has been raised against the petitioner.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. 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 Additional Sessions Judge-VI, Patna, in connection with Sessions Trial No. 508 of 2016 arising out of Ram Krishna Nagar P.S. Case No. 289 of 2015, subject to the condition that both the bailors will be the close relatives of the petitioner.

The petitioner will cooperate in conclusion of the trial and he will remain present on each and every date of trial till disposal of the case. In the event of default of two consecutive dates, his bail bonds will be liable to be cancelled.

(Sanjay Priya, J)

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