

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.18585 of 2017**

Arising Out of PS.Case No. -403 Year- 2015 Thana -DALSINGHSARAI District- SAMASTIPUR

Shivadhar Giri Son of Rajo Giri Resident of Village- Armauli, P.S. Ghatho,  
Dalsingsarai, District- Samastipur. .... Petitioner

Versus

The State of Bihar .... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Md. Arif

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**

**ORAL ORDER**

2      26-04-2017                      Heard learned Sr. Counsel for the petitioner and  
learned counsel representing the State.

The petitioner wants to renew his prayer of bail, which was earlier rejected twice vide order dated 18.05.2016 and 31.08.2016 passed in Cr. Misc. No. 15067 of 2016 and Cr. Misc. No. 33516 of 2016, on the ground that the petitioner is suffering in custody since 09.11.2015, there is no eye witness of the occurrence and only on suspicion and due to previous enmity as there is dispute regarding math, the petitioner has been implicated. There was direction to conclude the trial but the trial has not been concluded.

Learned APP seriously opposes the prayer of bail by submitting that the petitioner was last seen with the deceased in the Bolero vehicle and he has forcibly taken away the deceased and further the petitioner has got criminal antecedent as he is involved in 11 more cases. Post mortem report also suggests the



brutal killing of the deceased.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Samastipur in S. T. No. 255 of 2017 arising out of Dalsingsarai P.S. Case No. 403 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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