

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32856 of 2017

Arising Out of PS.Case No. -96 Year- 2015 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

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Amresh Kumar @ Amresh Mahto, son of Dinesh Mahto@ Dinanath
Kushwaha, resident of Village- Jawahirpur, Police Station- Lauriya,
District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Sessions Trial No. 295 of 2017, arising out of Lauriya P.S.Case
No. 96 of 2015 registered for the offences punishable under
Sections 147, 148, 149, 341, 342, 323, 324, 307 and 302 of the
Indian Penal Code.

Allegation is that petitioner and other co-accused had
taken the deceased in a room and assaulted him.

It has been submitted on behalf of the petitioner that
there is no eye-witness to the occurrence and there is general and
omnibus allegation of assaulted against him and other accused and
he is in custody since 21.12.2015. It has further been submitted



that other co-accused has been granted bail by a co-ordinate Bench of this Court in Cr.Misc.No. 26432 of 2016, vide order dated 21.12.2016.

Heard learned APP and learned counsel for the informant also. They have opposed the prayer for bail stating that the boy was lifted from his house and thereafter kept him inside the room and he was assaulted.

Having heard both sides and considering the aforesaid facts and circumstances and also considering the fact that co-accused has been granted bail and petitioner is in custody for the last 19 months, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the 3rd Additional District and Sessions Judge, West Champaran, Bettiah, in connection with Sessions Trial No. 295 of 2017, arising out of Lauriya P.S.Case No. 96 of 2015, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.



(iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

Learned trial court is directed to expedite the trial of the petitioner and try to conclude it within nine months.

(Vinod Kumar Sinha, J)

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