

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42090 of 2017

Arising Out of PS.Case No. -252 Year- 2013 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Nokh Lal Mukhia S/o Late Narayan Mukhia, Resident of Village- Pujaha Patjika, P.S.- Sri Nagar Pujaha, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s Mr. Jitendra Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

04 22.11.2017 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Earlier prayer for bail of the petitioner was twice rejected by this court but while rejecting prayer of the petitioner vide order dated 29.3.2016 passed in Cr. Misc. no. 12206/2016, this court directed the court below to expedite trial of the petitioner and try to conclude the same as early as possible.

However, trial court has reported that up till now, charge against the petitioner has not been framed and petitioner is in jail custody since 7.8.2013.

Submission on behalf of the petitioner is that petitioner is in jail custody for more than four years and even then charge could not be framed against him.

No doubt, petitioner is said to have been caught just after the alleged occurrence but taking note of his period of detention in jail



custody as well as present stage of trial, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of Sri Ravi Pandey, Judicial Magistrate, Ist Class, East Champaran at Motihari in Chakia P.S. Case no. 252/2013, Tr. No. 1196/2017 subject to condition that one of the sureties must be close relative of the petitioner and holder of the landed property. The aforesaid surety shall sworn affidavit to this effect as to how he is related with the petitioner.

shahid

(Hemant Kumar Srivastava,J)

U		T	
---	--	---	--

