

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38409 of 2017

Arising Out of PS.Case No. -186 Year- 1993 Thana -BARHARA District- PURNIA

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1. KISHAN RISHI @ KISHAN RISHIDEV, Son of Late Puran Rishi,
Resident of Village- Thaddhi, P.S. Barhara, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. Shailendra Kumar -1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 27-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 30.05.2017 in
connection with Barhara P.S. Case No. 186 of 1993, G.R. No.
2563 of 1993 for offences punishable under Section 307 and other
allied Sections of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he was watching his paddy field, which he had taken on
batai from one Durga Tiwary, he saw four persons armed with
danda. On enquiry they started abusing and assaulted the
informant. He anyhow saved his life and reached his house.

It has been submitted by the learned counsel for the



petitioner that he is innocent, general and omnibus allegation has been levelled against all the accused persons including the petitioner and the injuries, as per the injury report, have been found to be simple in nature caused by hard blunt substance.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner has not cooperated and has unnecessarily delayed the trial of the case, which is of the year 1993.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 A.C.J.M. 1st Class, Purnea, in connection with Barhara P.S. Case No. 186 of 1993, G.R. No. 2563 of 1993, subject to the conditions that :

- (i) Both the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.
- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear



on two consecutive dates without assigning any reason
will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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