

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58692 of 2017

=====

Ashok Kumar @ Ashok, S/o Shri Ram Kumar, R/o Village- Gudha
Karnama Chauki, P.S.- Mahendra Gadh, District- Gadh (Haryana).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ganga Prasad Bimal, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-12-2017

Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner has submitted that earlier bail of this petitioner was rejected by this Court vide order dated 22.05.2017 passed in Cr. Misc. 24164 of 2017. Thereafter, he again filed bail application vide Cr. Misc. 34934 of 2017 which was also rejected by this Court vide order dated 2.8.2017, but liberty was given to the petitioner to renew his prayer for bail as per observation made in Cr. Misc. 24164 of 2017.

Learned counsel for the petitioner has mentioned in paragraph 18 of the bail petition that no progress has been made in the trial. Learned counsel for the petitioner has annexed the entire order sheet of the court below as Annexure-6 from which it appears that after taking cognizance against the accused persons, no further progress is made in the trial. The other co-accused



persons have been granted regular bail by this Court vide order dated 19.5.2017 passed in Cr. Misc. 23684 of 2017 and by a coordinate Bench of this Court vide order dated 6.6.2017 passed in Cr. Misc. 25789 of 2017.

The petitioner is said to be the driver of the vehicle from which the alleged 10644 bottles of foreign liquors of different brands were recovered bearing registration No. HR63B-7078. The petitioner is in custody since 17.2.2017.

In such circumstances, keeping in view the observation made by this Court by order dated 22.5.2017 passed in Cr. Misc. 24164 of 2017 and the fact that no progress has been made in the trial as would appear from Annexure-6 as also that the petitioner is in custody since 17.2.2017, 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 District & Sessions Judge-IIInd, Vaishali, at Hajipur, in connection with Industrial Area P.S. Case No. 25 of 2017, 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 will not try to influence the witnesses or delay in the trial. 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.

S.Ali/-

(Sanjay Priya, J)

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

