

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58242 of 2017

Arising Out of PS. Case No.-53 Year-1993 Thana- NAUGACHIA District- Bhagalpur

Laxmi Singh, Son of Late Chano Singh, Resident of Village- Telghi, Police Station- Kharik, District- Bhagalpur. Petitioner

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. SRI NAVIN KUMAR PANDEY

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 06-12-2017 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner wants to renew his prayer of bail, which was earlier rejected vide order dated 07.01.2013, 08.01.2014, 08.07.2015 and 25.04.2017 passed in Cr. Misc. No. 50745 of 2012, 42758 of 2013, 51390 of 2014 and 9124 of 2017 respectively, on the ground that the petitioner is in custody since 02.09.2012, the petitioner was not aware regarding this case, resulting, he did not surrender earlier, allegation against the petitioner is general and omnibus that the petitioner and others have caught hold the deceased. Convicted appellants Jharkhandi Singh and Buchi Singh have already been allowed bail vide order dated 03.04.2014 passed in Cr. Appeal No. 243 of 2013 and the petitioner remaining in custody now have sufficiently been penalized. In near future the trial is not likely to be



concluded as the trial is held up due to pendency of Cr. Misc. No. 42731 of 2017 before this Court.

Learned APP submits that the petitioner remained absconding but now he has sufficiently been penalized by remaining in custody.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Naugachhia, Bhagalpur in S. T. No. 1117 of 2012 arising out of Naugachhia P. S. Case No. 53 of 1993, 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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