

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54668 of 2017

Arising Out of PS. Case No.-202 Year-2015 Thana- NAUBATPUR District- Patna

Umesh Prasad, S/o Late Motilal Yadav, R/o Village- Panhara, P.S.-
Naubatpur, District- Patna. Petitioner

Versus

The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. SRI BHARAT LAL

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 15-11-2017 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 twice vide order dated 20.06.2016 and 15.03.2017 passed in Cr. Misc. No. 17261 of 2016 and 5490 of 2017 respectively on the ground that the petitioner is in custody since 06.07.2015. On the basis of Sanha Police came at the place of occurrence and prepared the inquest report and at that time the informant was not there, so, it makes the entire prosecution story unbelievable, further the witness Pramod Kumar and Parmanand Kumar in paragraph 53 and 54 of the case diary have stated that they have not seen as to who have killed the deceased, further Pramod Kumar stated that he had gone on the motorcycle of the deceased but he got down at Naubatpur Lakh and the deceased went towards block office, so the presence of the informant appears doubtful. There was



direction to conclude the trial within six months but up-till now no prosecution witness has been examined and in near future the trial is also not likely to be concluded.

Learned APP submits that again direction may be given to conclude the trial.

In the facts and circumstances stated above, considering that up-till now no prosecution witness has been examined, 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 Additional Sessions Judge VI, Danapur in Sessions Trial No. 919 of 2015 / Reg. No. 3399 of 2015 arising out of Naubatpur P. S. Case No. 202 of 2015, 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.

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(Jitendra Mohan Sharma, J)

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