

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36978 of 2017

Arising Out of PS.Case No. -235 Year- 2015 Thana -BISFI (PATAUNA) District- MADHUBANI

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Md. Rabbani @ Md. Ravani Son of Kasim, R/o Village- Osra, P.S.- Bisfi
(Patauna), District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

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

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 30-11-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with Bisfi (Patauna) P.S. Case No. 235 of 2015 dated 27.04.2015 which was initially instituted for the offences under Sections 302/34 of the Indian Penal Code, but later charge-sheet in the case was submitted under Sections 306 and 498A of the Indian Penal Code.

From the records, it appears that charges were framed against the petitioner under Sections 306 and 498A of the Indian Penal Code on 04.02.2016. Till date, not a single prosecution witness has been examined.

The petitioner is in custody since 28.09.2015.

Taking into account the period of custody of the petitioner and that despite charges having been framed on



04.02.2016, no prosecution witness has been examined, this Court is constrained to direct for release of the petitioner on bail.

The petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction of learned Additional District Judge, VI, Madhubani in connection with Bisfi (Patauna) P.S. Case No. 235 of 2015, Sessions Trial No. 21 of 2016.

It is, however directed that the petitioner must participate in the trial. Any attempt of the petitioner to evade the process of trial or to remain absent from the proceedings would entitle the State to proceed for cancellation of bail.

(Ashutosh Kumar, J)

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