

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19850 of 2017

Arising Out of PS.Case No. -28 Year- 2014 Thana -ASAWAN District- SIWAN

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Mithun Ram Son of Ghura Ram, Resident of Village- Sahasaraon, P.S.
Assaon, District Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Binod Kumar 2

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 10-05-2017 A supplementary affidavit has been filed on behalf of

the petitioner annexing the Photostat copy of the certified copy of

the order of the learned court below. Keep it on record.

Heard learned counsel for the petitioner and the learned

counsel representing the State.

The petitioner wants to renew the prayer for bail which

was earlier twice rejected by order dated 19.01.2016 and

23.11.2016 passed in Cr. Misc. No. 46578 of 2015 and Cr. Misc.

No. 47117 of 2016 on the ground that the petitioner is suffering in

custody since 27.04.2015, other co-accused has been allowed bail,

uptil now only charge has been framed and no prosecution witness

has been examined and as such in near future the trial is not likely

to be concluded. Charges have been framed on 4.11.2015, but no



prosecution witnesses are turning up and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that the trial has not been concluded.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Additional Sessions Judge-4th, Siwan in connection with S.Tr. No. 393 of 2015 arising out of Assaon P.S. Case No. 28 of 2014, 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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