

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7849 of 2017

Arising Out of PS.Case No. -160 Year- 2014 Thana -MAHESI District- SAHARSA

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1. Umesh Sah Son of Late Hargovind Sah @ Harinandan Sah Resident of
 Village - Bela, P.S. - Bihra, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s Mr. Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 26.04.2017 Heard learned counsel for the petitioner as well as learned
 Addl. Public Prosecutor for the State.

Earlier prayer for bail of the petitioner was rejected by this
 court vide order dated 5.1.2016 passed in Cr. Misc. no. 136/2016 but
 the report of learned court below goes to show that up till, now charge
 could not be framed against the petitioner who is languishing in jail
 custody since 08.10.2014.

No doubt, victim stated the name of the petitioner in her
 statement recorded under section 164 of the Cr.P.C leveling allegation
 against the petitioner that it was the petitioner who sold her to other
 accused and later on, other accused committed rape on her but taking
 note of the period of detention of the petitioner in jail custody as well
 as this aspect of the matter that the petitioner does not have any
 criminal antecedent and there is no likelihood of conclusion of trial of
 the petitioner in near future, let the petitioner be released on bail on



furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge I, Saharsa in Sessions trial no. 200/2016 arising out of Mahishi P.S. Case no. 160/2014.

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(Hemant Kumar Srivastava,J)

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