

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53174 of 2016

Arising Out of PS.Case No. -162 Year- 2013 Thana -BHELDI District- SARAN

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Uma Kant Pandey, Son of Late Ramdutt Pandey, Resident of Village:
Tarwara, P.S. Bheldi, District : Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kumar Ravish, Advocate.

For the Opposite Party : Mr. Parmanand Prasad, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 22-02-2017 Heard both sides.

The petitioner seeks bail in Bheldi P.S. Case No. 162 of 2013, registered for the offences punishable under Sections 409, 420, 467, 468 and other Sections of the Indian Penal Code.

Learned counsel for the petitioner submits that prayer for bail of the petitioner was earlier rejected vide order dated 22.09.2015 with an observation that if the trial is not concluded within nine months from the date of receipt/production of this order the petitioner may renew his prayer for bail. It is further submitted that more than one year and four months have elapsed but the trial has not yet been concluded.

A report was called for from the court who is in seisin of the case and the Additional Chief Judicial Magistrate 11,



Chhapra, Saran reported that not even a single witness has been examined as the case was lying in a vacant court and the same was transferred to his court on 27.01.2017.

Learned counsel for the informant as well as learned APP vehemently opposed the prayer for bail of the petitioner.

It appears that the petitioner is alleged to have illegally withdrawn money from the account of the informant, but for that the petitioner is in jail since 22.10.2014 and the petitioner has already remained in jail for more than two years and three months.

Considering the facts aforesaid, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, First Class, Chapra, Saran in Bheldi P.S. Case No. 162 of 2013.

(Prabhat Kumar Jha, J.)

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