

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19955 of 2017

Arising Out of PS.Case No. -45 Year- 2015 Thana -DORIGANJ District- SARAN

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1. MITHU KUMAR @ MITHUN KUMAR RAI @ MITHU KUMAR RAI
 Son of Ram Lagan Rai resident of village - Singahi, P.S. - Doriganj, District
 - Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Apurva Kumar

For the Opposite Party/s : Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 09.08.2017

Heard learned counsel for the petitioner as well as learned

Addl. Public Prosecutor for the State.

Petitioner happens to be husband of the deceased and his
 earlier prayer for bail was twice rejected by this court.

Petitioner is in jail custody since 14.9.2015 and while
 rejecting his prayer for bail vide order dated 7.12.2016 passed in Cr.
 Misc. no. 41199/2016, this court directed the trial court to conclude
 the trial of the petitioner within three months and liberty was given to
 the petitioner to renew his prayer for bail, if his trial is not concluded
 within the above stated period due to non-cooperation and laches of
 the prosecution.

Trial court vide letter no. 257 dated 14.7.2017 reported that
 up till now, eight prosecution witnesses including two Investigating
 officers have already been examined but one Investigating officer and



one doctor are still to be examined. Therefore, it is obvious from the aforesaid report that almost all material witnesses have already been examined except I.O and there is no chance of tempering with the prosecution evidence.

Therefore, petitioner is directed to 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 II, Saran at Chapra in Sessions trial no. 633/2015 arising out of Doriganj P.S. Case no. 45/2015.

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(Hemant Kumar Srivastava,J)

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