

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55669 of 2017

Arising Out of PS. Case No.-9 Year-2015 Thana- KATEYA District- Muzaffarpur

Awadh Mahto @ Awadh Kumar Mahto Son of Bigu Mahto, R/o Village-
Rampur Bheriyahi, P.S. Kathaiya, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. SRI SHAILENDRA KUMAR -2

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

ORAL ORDER

2 22-11-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner wants to renew his prayer of bail, which was earlier rejected thrice vide order dated 18.01.2016, 08.02.2017 and 02.08.2017 passed in Cr. Misc. No. 48246 of 2015, 54572 of 2016 and 32949 of 2017 respectively, on the ground that the petitioner is in custody since 04.03.2015, the trial has not been concluded within 9 months and up-till now only 10 witnesses have been examined and as such in near future the trial is not likely to be concluded. The petitioner was given liberty to renew his prayer of bail. Further on the neck of the deceased no injury has been found by the doctor.

Learned APP fairly submits that the trial has not been concluded.



In the facts and circumstances stated above, considering the period of detention and further considering that on the neck the doctor has said that no injury has been found and as such the petitioner above named is directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 13th Additional Sessions Judge, Muzaffarpur in Sessions Trial No. 37 of 2016 arising out of Kathaiya P. S. Case No. 9 of 2015, 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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