

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18867 of 2017

Arising Out of PS.Case No. -88 Year- 2003 Thana -BENIPATTI District- MADHUBANI

=====

Birendra Kumar Bhandari @ Birendra Bhandari S/o Sri Ram Nandan Bhandari, Resident of Village- Arer Sinaura, P.S.- Arer, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mukund Mohan Jha

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 03-05-2017 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner wants to renew his prayer for bail, which was earlier thrice rejected vide order dated 20.07.2015, 01.04.2016 and 07.12.2016 passed in Cr. Misc. Nos. 14059 of 2015, 5703 of 2016 and 51088 of 2016 on the ground that the petitioner is suffering in custody since 20.11.2014 and uptill-now charge has not been framed. In future, the trial is not likely to be concluded though there was direction to conclude the trial within a period of three months. There is no specific allegation against the petitioner rather the allegation for assaulting with Farsa is against other accused also who have been allowed bail.



The learned A.P.P. opposes the prayer of bail but fairly submits that trial has not been started as yet.

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 IInd Additional Sessions Judge, Madhubani, in connection with Sessions Trial No. 197 of 2015, arising out of Benipatti (Arer) P.S. Case No. 88 of 2003 (G.R. No. 720 of 2003), subject to the condition 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)

Ravi/-

U		T	
---	--	---	--

