

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23241 of 2017

Arising Out of PS.Case No. -93 Year- 2006 Thana -MOKAMAH District- PATNA
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1. Hirday Rai @ Hirdi Rai Son of Late Gita Rai resident of Village - Mekra
Naya Tola, Police Station - Mokama, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 31-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 26.2.13 in
connection with Mokama P.S. Case No. 93 of 2006 for offences
punishable under Section 307/34 of the Indian Penal Code and
Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that while he went to the telephone booth, 6-7 persons came and
fired on him which hit him on his chest. The petitioner and three
other accused persons have been named in the FIR. The cause of
occurrence was old enmity.

It has been submitted by the learned counsel for the



petitioner that he is innocent. Allegation is upon 6-7 persons for causing fire arm injury on the informant and that other named co-accused have been granted privilege of bail in Cri. Misc. No. 51536 of 2006 on 19.01.2007 and Cri. Misc. No. 12541 of 2009 on 18.05.2009. He submits that up till now only charges have been framed but none of the witnesses has been examined.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Addl. Sessions Judge, VIth, Barh (Patna) , in connection with S.T. No. 620/13, Mokama P.S. Case No. 93/2006, subject to the condition that one of the bailors would be sa close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.



The Additional Sessions Judge-VIth Barh (Patna) is directed to conclude the trial relating to S.T. No. 620 of 2013 arising out of Mokama P.S. Case No. 93 of 2006 on day to day basis expeditiously within a period of six months.

(Nilu Agrawal, J)

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