

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44781 of 2017

Arising Out of PS.Case No. -233 Year- 2015 Thana -SOHSARAI District- NALANDA
(BIHARSHARIFF)

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Shashi Paswan, son of Raju Paswan, resident of village- Brijpur, P.S.
Noorsarai, District- Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raj Bansh Dubey, Advocate

For the Opposite Party : Mr. Sri Ramchandra Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-09-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew the prayer of bail, which was earlier twice rejected by order dated 17.05.2016 and 15.02.2017 passed in Cr. Misc. 14345 of 2016 and Cr. Misc. No. 2990 of 2017 respectively, on the ground that the petitioner is suffering in custody since 28.12.2015, during T.I.P. only Munindra Kumar Ranjan identified the petitioner, but Lalita Devi has not identified him and on the basis of single identification the petitioner is suffering in custody, there is no reliable material against him and nothing has been recovered from his conscious possession. There was direction to conclude the trial within six months, but up till now the case has not been committed and, as such, in near future the trial is not likely to be concluded and, as



such, the petitioner deserve sympathetic consideration.

The learned A.P.P. fairly submits that there was direction to conclude the trial.

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 Additional Chief Judicial Magistrate, 3rd , Nalanda (Biharsharif), in connection with Sohsarai P.S. Case No. 233 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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