

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16635 of 2018

Arising Out of PS.Case No. -41 Year- 2014 Thana -PIPRA District- PATNA

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Bhim Singh, Son of Yamuna Singh, resident of Village- Basiyawan, P.S.-
Pipra, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra

For the Opposite Party/s : Mr. Prem Kumar Jha

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

ORAL ORDER

2 28-03-2018 Heard the learned counsel for the petitioner as
well as the learned A.P.P. for the State.

The petitioner wants to renew his prayer for bail which was earlier rejected vide orders dated 01.12.2015, 14.09.2016, 12.07.2017 and 06.12.2017 passed in Cr. Misc. Nos. 48102 of 2015, 34117 of 2016, 24949 of 2017 and 57575 of 2017 respectively, on the ground that the petitioner is suffering in custody since 04.01.2015, there is no allegation that the petitioner has repeated the blow, no offence under section 302 of the I.P.C. is made out, it can be a case under section 304 (II) of the I.P.C and as such the petitioner deserves sympathetic consideration. Up till now only seven prosecution witnesses have been examined and in near future the trial is not likely to be concluded.



The learned A.P.P. opposes prayer for bail of the petitioner by submitting that the petitioner has given fatal blow to the deceased but fairly submits that the trial has not been concluded within the time given by this Court.

In the facts and circumstances stated above, considering custody of the petitioner and further that in near future the trial is not likely to be concluded and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-XIII, Patna in connection with Sessions Trial No. 141 of 2017 arising out of Pipra P.S. Case No. 41 of 2014, 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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