

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29844 of 2017

Arising Out of PS.Case No. -38 Year- 2014 Thana -PIPRIYA SAHAYAK District- LAKHISARAI
=====

Indal Bhagat, S/o Late Lochi Bhagat, resident of Vill.- Pathuya Bind Toli,
P.S.- Pipariya, Distt.- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Jainendra Kumar

For the Opposite Party/s : Mr. Narsingh Tanti
=====

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

ORAL ORDER

5 03-01-2018 Supplementary affidavit has been filed on behalf

of the petitioner annexing copy of deposition of P.W. 4 and P.W.

5. Let it be kept on the record.

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 by order dated 29.03.2016 passed in Cr.

Misc. No. 3385 of 2016, on the ground that the petitioner is

suffering in custody since 15.01.2015. During trial the informant

and Bina Devi both have not stated the name of the petitioner or

any one to have fired upon the husband of the informant. Bina

Devi has turned hostile and as such the petitioner deserves

sympathetic consideration. Co-accused Gongu Bhagat has already



been allowed bail.

The learned A.P.P. fairly submits that now Bina Devi has turned hostile.

In the facts and circumstances stated above, the petitioner above named, 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-IIInd, Lakhisarai in connection with Pipariya P.S. Case No. 38 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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