

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54153 of 2017**

Arising Out of PS.Case No. -4 Year- 2005 Thana -KHARAGPUR District- MUNGER

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1. BIRBAL MURMUR @ BIRBAL DA @ PANCHU MURMUR @  
BIRBAL MURMU @ PANCHU DA, Son of Late Fagu Murmur, Resident  
of Village- Matiya Kore, P.S.- Belhar, District- Banka.

.... .... Petitioner/s

Versus

1. The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Sri Rajballabh Singh

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
ORAL ORDER

5      07-02-2018                      Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State.

Petitioner is languishing in jail custody since 25.08.2014  
and his prayer for bail was twice rejected by this Court.

However, while rejecting the prayer for bail of the  
petitioner, this Court gave direction to the court below to conclude  
the trial of the petitioner within the period as fixed by the trial  
court itself. The trial court vide his letter no. 09 dated 11.01.2018  
has reported that up till now only two prosecution witnesses could  
be examined and the trial court has sought three months more time  
for conclusion of the trial of the petitioner.

Learned counsel appearing for the petitioner submits that



the name of petitioner was dragged in this case after six years of the alleged occurrence on the basis of so called confessional statement of co-accused and apart from the aforesaid so called confessional statement, there is nothing against the petitioner. He further submits that so far as criminal antecedent of the petitioner is concerned, petitioner has already been granted bail in almost all the cases, except 2 and 3 cases.

Considering the aforesaid facts and circumstances as well as period of detention of the petitioner in jail custody, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Munger in connection with Session trial no. 53 of 2015 arising out of Kharagpur P.S. Case No. 04 of 2005, subject to condition that one of the sureties must be a close relative of the petitioner who shall sworn an affidavit to this effect as to how he/she is related with the petitioner and furthermore, the aforesaid surety must be holder of landed property.

**(Hemant Kumar Srivastava, J)**

N.K/-

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