

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 51013 of 2017

Arising Out of PS.Case No. -185 Year- 2016 Thana -CHANDAUTI District- GAYA

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Niraj Kumar @ Narayan Kumar Son of Prem Ram, R/o Mohalla- Chhotki
Delha, P.S.- Delha, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Mrigendra Pratap Singh, Advocate

For the S t a t e : Smt Meena Singh, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 28-02-2018

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks bail in a case registered under
Sections 302, 120B/34 of Indian Penal Code.

It is submitted by the petitioner's counsel that having
considered the merits of the application to the extent that there is
no eye witness to the occurrence and that the statement relied on
for rejection of the petitioner's application by the Court below,
made in paragraph 83 of the case diary, was recorded one month
after the alleged occurrence as also the fact that the charge sheet
has been submitted, this Court had granted liberty, by order dated
29.11.2016 passed in *Cr Misc No 47420 of 2016*, to the petitioner
to renew his prayer after six months. It is submitted that no



substantial progress has been made in the trial.

Considering his aforesaid submissions, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I, Gaya in Sessions Trial No 71 of 2017/254 of 2017 arising out of Chandauti Police Case No 185 of 2016 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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