

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62334 of 2017

Arising Out of PS.Case No. -229 Year- 2015 Thana -KODHA District- KATI HAR

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Dilip Poddar, son of Late Sadar Poddar, resident of Village- Gerabari Bazar,
Police Station- Korha, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Smt. Veena Rani Prasad.

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

ORAL ORDER

2 03-01-2018 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 twice rejected vide orders dated 13.07.2016 and 26.07.2017 passed in Cr. Misc. Nos. 5754 of 2016 and 30164 of 2017 respectively, on the ground that the petitioner is suffering in custody since 04.12.2015 and up till now no prosecution witness has been examined and in near future the trial is not likely to be concluded. The case is not under section 302 of the I.P.C rather it is under section 304 (II) of the I.P.C.

The learned A.P.P. submits that by order dated 26.07.2017 four months time was granted to the trial Court to conclude the trial but charges have not been framed up till now.



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 Additional Sessions Judge-IV, I/C, Katihar in connection with Sessions Trial No. 59 of 2016 arising out of Korha P.S. Case No. 229 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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