

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27231 of 2018

Arising Out of PS.Case No. -80 Year- 2017 Thana -PANCHRUKHI District- SIWAN

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1. Dwarika Bhagat, Son of Late Kishun Bhagat, Resident of Village-Makhnupur, Police Station- Pachrukhi, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-06-2018

Heard the parties.

Earlier the prayer for bail of the petitioner was rejected by this Court, vide order dated 8.9.2017 passed in Cr. Misc. No39728 of 2017 with a direction to the learned trial court to conclude the trial within a period of six months.

Submission of the learned counsel for the petitioner is that though the period of six months has already expired but up till now only two witnesses have been examined and he is in custody for about one year. It is also submitted that another co-accused has been granted privilege of the anticipatory bail by a Co-ordinate Bench of this Court, vide order dated 10.8.2017 passed in Cr. Misc. No.36023 of 2017.

Heard learned A.P.P. and the learned counsel for the



informant. They have opposed the prayer for bail on the ground that one co-accused is absconding and the trial has not been concluded.

From perusal of the report, it appears that the learned trial court has ensured that the case will be concluded within a period of four months.

Allegation against the petitioner is of selling of land to the informant, which has been acquired by the government.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Siwan in connection with Tr. No.2611 of 2018 arising out of Pachrukhi P.S.Case No.80 of 2017, with condition that he will co-operate in disposal of the trial and will also appear as and when required by the learned court below; otherwise his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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