

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56239 of 2018

Arising Out of PS.Case No. -32 Year- 2016 Thana -GOBARDHANA District-
WESTCHAMPARAN(BETTIAH)

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1. SIKANDAR URAON @ SIKENDAR URAON Son of Hari Uraon
resident of village - Balua Bakhraha Khaira Tola, Police Station -
Gobardhana, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-10-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in S.Tr. No. 439/2017, arising
out of Gobardhana P.S. Case No. 32/2016, instituted for the
offence under Section 376 of the Indian Penal Code.

Earlier prayer for bail of the petitioner was rejected by
order dated 18.05.2017 passed in Cr. Misc. No. 14616/2017 with
liberty to renew his prayer for bail after nine months in the event
no substantive progress is made in trial with direction to the court
below to expedite the trial and dispose of the same within nine
months.

A report was called for from the court below, which has
been received, from which it appears that case is still pending for



evidence. There are total 8 witnesses in the charge-sheet for examination and in near future trial is not likely to be concluded.

Learned counsel for the petitioner has submitted that in spite of direction, court below has not taken serious step for recording evidence of witnesses. Petitioner is in custody since 26.10.2016.

Considering the aforesaid fact and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, 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 learned 1st Addl. Sessions Judge, Bagaha, West Champaran in S.Tr. No. 439/2017, arising out of Gobardhana P.S. Case No. 32/2016, subject to the conditions that

- (i) both the bailors shall be the close relative of the petitioner.
- (ii) petitioner shall be present on each and every date fixed by the court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of the petitioner and
- (iii) if petitioner tamper with the evidence in the



case, prosecution will be at liberty to
move for cancellation of bail bond of the
petitioner.

(Sanjay Priya, J.)

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