

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26931 of 2018

Arising Out of PS. Case No.-9 Year-2015 Thana- KATEYA District- Muzaffarpur

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1. Umesh Mahto,
 2. Dinesh Kumar @ Dinesh Mahto @ Madho Mahto, Both sons of Satahu Mahto, R/o Village- Rampur Bheriyahi, P.S. Kathaiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Sri Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 16-05-2018 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners want to renew the prayer for bail which was earlier rejected vide order dated 18.01.2016, 15.02.2017 and 21.02.2018 passed in Criminal Miscellaneous No. 48246 of 2015, Cr. Misc. No. 5188 of 2017 and Cr. Misc. No. 8930 of 2018, on the ground that the petitioners are suffering in custody since 04.03.2015 and 11.03.2015 respectively and in spite of direction of this Court the trial has not been concluded within two months, there is case and counter case and both sides have received injury and, as such, the petitioners deserve sympathetic consideration.



The learned A.P.P. fairly submits that the trial has not been concluded as per direction of this Court.

In the facts and circumstances stated above, now the petitioners are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of the learned Additional Sessions Judge-13th Muzaffarpur, in connection with Sessions Trial No. 37 of 2016 arising out of Kathaiya P.S. Case No. 09 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J.)

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