

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62066 of 2017

Arising Out of PS.Case No. -215 Year- 2015 Thana -AMARPUR District- BANKA

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1. Awadhesh Singh S/o Shri Triveni Singh @ Triveni Prasad Singh, R/o
Village- Kathel, P.S.- Amarpur, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nirbhay Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 24-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Amarpur P.S. Case No. 215 of 2015
instituted for the offence under Sections-307, 384, 386, 302 & other minor
Sections of the Indian Penal Code and 27 of the Arms Act.

Earlier prayer for bail of the petitioner was rejected by this court
vide order dated 02-02-2017 passed in Cr. Misc. No. 52790 of 2016 with
direction to the trial court to expedite the trial of the petitioner and make all
efforts to dispose of the same as early as possible, preferably, within nine
months.

The report has been called for from the court below which has
been received.

From the report, it appears that eight witnesses have already
been examined in this case and the case is pending for evidence of remaining
witnesses. The trial court has stated that six months is likely to be consumed
in disposal of the trial.



Counsel for the petitioner has submitted that other co-accused has already been granted bail by a coordinate bench of this court by order dated 15-11-2017 passed in Cr. Misc. No. 54791 of 2017. The petitioner is in custody since 03-08-2015.

Keeping in view the period spent by the petitioner in custody and the trial has not concluded within time as directed by this court, this application is allowed. The petitioner named above 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 in connection with Amarpur P.S. Case No. 215 of 2015 to the satisfaction of A.D.J.-Ist Banka subject to condition that both the bailors should be close relatives of the petitioner with further condition that the petitioner will cooperate in trial and remain physically present in court on each and every date. He will not try to threaten the witnesses or delay the trial. In the event, the petitioner makes him absent on two consecutive dates or makes efforts to delay the trial, the trial court will be at liberty to pass appropriate order including cancellation of bail bond of the petitioner.

(Sanjay Priya, J)

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