

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63689 of 2017

Arising Out of PS.Case No. -241 Year- 2015 Thana -BARH District- PATNA

=====

1. KANHAIYA SINGH @ KANHAIYA S/o Ganesh Singh, R/o Village-Berhna, P.S.- Barh, District- Patna. At present near Bata, Deside the Kachahri, P.S.- Barh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nabin Kumar

For the Opposite Party/s : Mr. Sri Kalyan Shankar

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 24-01-2018 Heard both sides.

The petitioner seeks bail in connection with Barh P.S. Case No.241 of 2015 corresponding to Sessions Trial No.168 of 2016/ Sessions Trial No.168A of 2016, registered under Sections 341, 323, 364, 506, 307, 302, 201, 120(B) of the Indian Penal Code and Sections 27 of the Arms Act.

Sri P.K. Shahi, learned senior counsel, appearing on behalf of the petitioner submits that the prayer for bail of the petitioner was earlier rejected vide order dated 09.03.2017 with a direction to the trial Court to conclude the trial within six months from the date of receipt of the order. The petitioner again moved this Court after about ten months from the date of rejection of bail but not a single witness has been examined as yet.



It is further submitted that all other accused persons, namely, Anant Kumar Singh@ Anant Singh, Chandan Kumar @Chandan Singh@Chandan, Bhushan Singh, Kumar Madhur Bhushan Malviya@Manish Singh, Kanhaiya @ Kanhaiya Kumar and Chandan Kumar have already been granted bail. The case of the petitioner stands on the same footing. The petitioner is in jail since 20.4.2016 and during the course of trial not even a single witness has been examined as yet.

Considering the facts aforesaid and the fact that in spite of the specific direction given by this Court vide order dated 09.03.2017 passed in Cr. Misc. No.55363 of 2016, not a single witness has been examined and most of the similarly situated accused persons, as stated above, have already been granted bail, the petitioner, above named, is directed to be enlarged 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 Additional District and Sessions Judge-Ist, Barh in connection with Barh P.S. Case No.241 of 2015 corresponding to Sessions Trial No.168 of 2016/ Sessions Trial No.168A of 2016.

(Prabhat Kumar Jha, J)

Sanjeev/-

U			
---	--	--	--

