

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49166 of 2018

Arising Out of PS.Case No. -171 Year- 2014 Thana -MURLIGANJ District- MADHEPURA

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Kapurchand Das @ Kapoor Chandra Das, S/o Late Dobhi Das, Resident of
Village- Rajni Ward No.15, P.S.- Murliganj, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Rajballabh Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 26-09-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Sessions Trial No. 61 of 2015 arising out of Murliganj P.S. Case No. 171 of 2014 instituted for the offence under Sections 302 and 120(B)/34 of the Indian Penal Code.

Counsel for the petitioner submits that prayer for bail of the petitioner was earlier rejected by coordinate Bench of this Court vide order dated 17.03.2016 passed in Cr. Misc. 3631 of 2016 with direction to the trial court to expedite the trial and conclude the same preferably within four months. By aforesaid order, petitioner was given liberty to renew his prayer for bail after four months.

Petitioner has renewed the prayer for bail after lapse of



more than two years.

Report was called for from the court below vide order dated 20.08.2018 which has been received. The court below has mentioned in the report that charge has already been framed on 30.09.2015. Three out of twelve witnesses have been examined.

Counsel for the petitioner submits that petitioner is in custody since 28.11.2014. Counsel for the petitioner further submits that co-accused Bijendra Das with similar allegation has already been granted bail by a coordinate Bench of this Court vide order dated 09.11.2015 passed in Cr. Misc. 32710 of 2015.

Keeping in view the period spent by the petitioner in custody, prayer for bail of the petitioner 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 Sri Raman Kumar, learned Additional Sessions Judge-III, Madhepura, in connection with Sessions Trial No. 61 of 2015 arising out of Murliganj P.S. Case No. 171 of 2014, subject to the condition that both the bailors will be the close relatives of the petitioner.

The petitioner will cooperate in conclusion of the trial. He will remain present on each and every date of trial till disposal of the case. He will not try to tamper with the evidence or



intimidate the witnesses to delay the disposal of trial. In the event of default of two consecutive dates, his bail bonds will liable to be cancelled.

(Sanjay Priya, J)

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