

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40346 of 2018

Arising Out of PS.Case No. -195 Year- 2016 Thana -PHULPARAS District- MADHUBANI

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1. Sukhsagar Yadav son of late Kailu Yadav resident of village Danda Tola
P.S. Phulparas, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Adv.

For the Opposite Party/s : Mr. Smt. Nirmala Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 08-08-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner is in custody since 04.09.2016 in connection
with Phulparas P.S. Case No. 195 of 2016 registered under Sections
147, 148, 149, 341, 323, 326, 307 and 302 of the Indian Penal Code
and Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that the
petitioner, who is of clean antecedent, is innocent and has not
committed any offence. Earlier the payer for bail of this petitioner has
been rejected vide order dated 28.03.2018 in Cr. Misc. No. 4313 of
2018 with observation that trial court shall conclude the trial within a
period of three months but from perusal of the report received from
Additional District & Sessions Judge, it appear that only four
witnesses have been examined out of twelve charge sheeted witness,



therefore, the trial is not likely to be concluded in near future and the petitioner is rotting in judicial custody for approx two years.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II, Madhubani, in connection with Phulparas P.S. Case No. 195 of 2016/ G.R. No. 1024 of 2016/ S.T. No. 402 of 2016.

(Arvind Srivastava, J)

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