

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61630 of 2018

Arising Out of PS.Case No. -12 Year- 2016 Thana -RUPASPUR District- PATNA

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Jitendra Pandey, son of Binod Pandey @ Dinesh Pandey, resident of Village- Kaiyal (Aliganj), P.S.- Sikandara, District- Jamui, presently resident of Mohalla- Bank of India Colony, Near Mahima Mandir, P.O.- Ram Nagar, P.S.- Rajiv Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 31-10-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **S. T. No.781 of 2016 arising out of Rupaspur P.S. Case No.12 of 2016** instituted for the offence under Section(s) 394, 397, 307, 411 Indian Penal Code and Section 27 of the Arms Act.

Counsel for the petitioner submits that petitioner is in custody since 21.01.2016.

Prayer of the petitioner for grant of bail was earlier rejected by this Court by order dated 01.05.2017 passed in Cr.Misc.No.9380 of 2017 with liberty to renew the prayer after six months in the Court below itself in the event trial is not concluded.



The petitioner has renewed the prayer before the Court below, which has been rejected by order dated 11.07.2018.

A report was called for from the Court below, which has been received, wherein, it is mentioned that up till now three witnesses have been examined in the case and the case is pending for evidence.

Counsel for the petitioner submits that he is always co-operating in trial since his custody, but trial has still not been concluded.

From the report of the Court below, it appears that there is no chance of early conclusion of trial.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail 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 the **A.D.J., VII, Danapur, Patna**, in connection with **S. T. No.781 of 2016 arising out of Rupaspur P.S. Case No.12 of 2016**, subject to the condition that both the bailors shall be close relative of the petitioner.

The petitioner will remain present on each and every date of trial and his absence on two consecutive date(s) without any reasonable cause will make his bail bond liable to be



cancelled. Further, the petitioner will not intimidate the witnesses
of the case and will not hamper the trial.

(Sanjay Priya, J)

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