

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1247 of 2018

Arising Out of PS.Case No. -71 Year- 2011 Thana -KHAJEKALA District- PATNA

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1. Mulkan Rai @ Bulkan Yadav @ Gulkan Yadav @ Bulkan Rai, Son of Shyam Rai @ Vyas Rai, Resident of Village- Mohanpur, P.S.- Raghapur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Pandey, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 21-02-2018

Heard learned counsel for the petitioner and the State.

Prayer for bail of the petitioner was earlier rejected by this Court vide orders dated 10.3.2017 and 17.5.2017 passed in Cr. Misc. 53574 of 2016 and 22279 of 2017 respectively with liberty to renew his prayer for bail after six months, if no substantive progress is made in the trial.

A report has been called for from the court below about current stage of the trial which has been received. From the report it appears that after framing of charge, four witnesses have been examined in the case. The court below has mentioned in the report that nine months further time will be taken in disposal of the case.

Learned counsel for the petitioner has submitted that petitioner is in custody since 27.6.2016. It has further been submitted that among four witnesses, the informant has also been examined as



PW-4.

In the written report there is specific allegation against Dhiru Yadav of causing firearm injuries to the brother of the informant and he fell down. Thereafter, it is alleged that the petitioner and other accused persons fired on him also.

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 learned Additional District Judge VI, Patna, City, Patna, in connection with Sessions Trial No. 181 of 2017 arising out of Khajekala P.S. Case No. 71 of 2011, subject to the condition that both the bailors will be the close relatives of the petitioner.

The petitioner in any manner will not try to hamper the trial by intimidating or influencing the witnesses and will remain present on each and every date of trial. Any two subsequent defaults without any valid reason will result in cancellation of bail bonds in the court below.

(Sanjay Priya, J)

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