

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16624 of 2018

Arising Out of PS. Case No.-91 Year-2001 Thana- BHAGWANPUR District- Vaishali

Pappu Deo, son of Late Durganand Deo , resident of Village + P.O.- Bihra,
P.S.- Bihra, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Sri Anil Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 16-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in **Bhagwanpur P.S. Case No. 91 of 2001** registered for the offence punishable under Sections 302, 364(A), 120(B), 325, 326, 307, 216(A)/34 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioner had earlier moved in Criminal Miscellaneous No. 28957 of 2016, which was disposed of on 16.11.2016 with an observation that if the trial of the petitioner is not concluded within a period of seven months from the date of receipt/production of a copy of the order then the petitioner shall be at liberty to renew his prayer for bail.

It has been submitted on behalf of the petitioner that this Court had taken note of the fact that similarly placed co-



accused Mithilesh Kumar and other co-accused who had been named by the kidnapped persons have been granted privilege of bail but the bail petition of petitioner was rejected on the ground that he is a historysheeter. However, in the petition it has been stated in paragraph no. 13 that case has not yet been committed to the court of Sessions. In view of the earlier order passed by this Court and liberty granted to the petitioner to move after seven months, if the trial is not concluded and similarly placed co-accused persons having been granted bail.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Vaishali at Hajipur** in connection with **Bhagwanpur P.S. Case No. 91 of 2001**, with a condition that the petitioner will remain present in course of trial on each and every day and if he remains absent on two consecutive dates without sufficient reasons, his bail bond will be cancelled.

(S. Kumar, J)

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