

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45008 of 2018

Arising Out of PS. Case No.-180 Year-2015 Thana- SILAO District- Nalanda

Sudhir Kumar, S/o Sri Ramrup Prasad, Resident of Village- Silao Bazar,
P.S.- Silao, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

6 19-12-2018 Heard learned counsel appearing for the petitioner as
well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 149, 323, 324, 307
and 302 of the Indian Penal Code and Section 27 of the Arms
Act.

Earlier, the prayer for bail of the petitioner was twice
rejected by this Court taking note of allegation levelled against
him but having more or less similar allegation, one co-accused
Kishlay Kumar, has already been granted privilege of bail by a
co-ordinate Bench of this Court vide order dated 4.10.2016
passed in Cr. Misc. No. 34651 of 2016.

The trial court has reported that out of twelve



prosecution witnesses, nine prosecution witnesses have only been examined and the trial of the petitioner is still pending for recording the statement of remaining prosecution witnesses. The petitioner is in jail custody since 13.11.2015 and the report of the trial court shows that there is no possibility of conclusion of trial of the petitioner in near future.

Taking note of this fact that having more or less similar allegation, co-accused Kishlay Kumar has already been granted privilege of bail and the petitioner is in jail custody since long, I direct the above-named petitioner 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-III, Nalanda at Bihar Sharif in connection with Sessions Trial No. 358 of 2016 arising out of Silao P.S. Case No. 180 of 2015.

(Hemant Kumar Srivastava, J)

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