

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17180 of 2018

Arising Out of PS.Case No. -19 Year- 2017 Thana -MAHILA P.S. District- BHOJPUR

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1. Baban Kumar Nirala S/o Rameshwar Paswan, R/o Village- Mishrawalli,
P.S.- Shakurabad, District- Jehanabad, At present R/o Village- Bahiro, P.S.-
Ara Nawada, District- Bhojpur at Ara.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 28-03-2018 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 323, 376, 406, 420, 504 and
506/34 of the Indian Penal Code.

Earlier prayer for bail was refused to the
petitioner on 20.11.2017 in Cr. Misc. No. 52364 of 2017 with
liberty to the petitioner to renew the prayer before the court below
itself, if the trial is not concluded within nine months.

Submission is that though the period of nine
months has not expired but a compromise petition has been filed
on 24.01.2018 by the informant/victim. Further submission is that
though the offence alleged are not compoundable, however, in
view of the compromise, the fate of the trial is known and in the



event of acquittal, the petitioner is not going to be compensated for his continued detention. Compromise petition filed by the parties is at Annexure 5.

Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bhojpur Mahila Police Station Case No. 19 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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