

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26304 of 2018

Arising Out of PS. Case No.-296 Year-2016 Thana- JAHANABAD District- Jehanabad

Sangal Swami @ Binay Kumar Son of Vinod Singh, Resident of Village-
Matkori Kuan, Hospital More, P.S. Jehanabad, District-Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Lakshmi Kant Sharma, Advcoate
For the Opposite Party : Mr. Nand Kumar (APP)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 02-05-2018 Heard learned counsel for the petitioner and
learned counsel representing the State.

The petitioner wants to renew the prayer of bail, which was earlier twice rejected vide order dated 22.04.2017 and 04.10.2017 passed in Cr. Misc. 3478 of 2017 and Cr. Misc. No. 44853 of 2017 respectively, on the ground that the petitioner is in custody since 28.07.2016, there is no progress in trial, other co-accused Manish Kumar, Rahul Kumar, Hare Ram Yadav have been allowed bail. The statement of Raja Kumar Goswami @ Raja Kumar recorded under Section 164 Cr.P.C. is confessional statement of an accused, he has been chargesheeted in this case vide Annexure-3 and, as such, his statement is of no value and further the trial has not been concluded within the time granted by this court and up till now only five witnesses



out of 10 chargesheet witnesses have been examined and, as such, in near future the trial is not likely to be concluded.

The learned A.P.P. fairly submits that against Raja Goswami chargesheet has been submitted in this case.

In the facts and circumstances stated above, considering that in near future the trial is not likely to be concluded, other co-accused have been allowed bail and, as such, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Additional Sessions Judge-1st, Jehanabad, in connection with Jehanabad P.S. Case No. 296 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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