

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56998 of 2018

Arising Out of PS. Case No.-86 Year-2015 Thana- AGIAON District- Bhojpur

Niraj Kumar @ Niraj Kumar Pandey S/o Late Mathura Nand Pandey, R/o
Vill.- Sikti, P.S.- Agion (G), District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 20-11-2018 Heard learned counsel for the parties.

Petitioner seeks bail in **Sessions Trial No. 111 of 2016 arising out of Agiaun(G) P.S. Case No. 86 of 2015** registered for the offence punishable under Sections 324, 307, 302 and 34 of the Indian Penal Code.

Petitioner had earlier moved thrice for grant of bail but the same were rejected vide order dated 18.03.2016 in Criminal Miscellaneous No. 3998 of 2016, 07.12.2016 in Criminal Miscellaneous No. 52004 of 2016 and 05.07.2016 in Criminal Miscellaneous No. 23567 of 2017. In the order dated 07.12.2016 passed in Criminal Miscellaneous No. 52004 of 2016 in which direction was also given to conclude the trial within five months and by order dated 05.07.2017 passed in



Criminal Miscellaneous No. 23567 of 2017 in which direction was also given to conclude the trial within three months. A report was called for from the trial court vide order dated 03.11.2018 regarding stage of trial in which it has been stated that evidence on behalf of both parties has been led and the case is fixed for argument from both sides and if both sides co-operate the case can be decided within one month.

However, learned counsel for the petitioner states that trial has not yet been concluded. It is an admitted fact that the petitioner is suffering from mental disease and was being treated in Koilwar Mental Hospital and trial court has also noted this fact in its order while rejecting the bail application of the petitioner.

Considering the facts and circumstances of the case and period of detention of petitioner who is in custody since 03.09.2015 and is suffering from mental disease and requires treatment, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional District and Sessions Judge-III, Ara, Bhojpur**, in connection with **Sessions Trial No. 111 of 2016 arising out of Agiaun(G) P.S. Case No. 86 of 2015**, with following conditions:-

(1) One of the bailor should be Sunil Kumar,



Brother-in-Law of the petitioner who has sworn affidavit of this petition.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

ranjan/-

U			
---	--	--	--

