

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39470 of 2018

Arising Out of PS.Case No. -87 Year- 2014 Thana -UJIYARPUR District- SAMASTIPUR

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1. Shankar Kunwar, Son of Shri Ram Sagar Kunwar, Resident of Village-Bakhadda, P.S.- Matihani, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh

For the Opposite Party/s : Mrs. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

03 18.07.2018 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Earlier prayer for bail of the petitioner was twice rejected by this court taking note of nature of allegation levelled against him but submission on behalf of the petitioner is that petitioner is in jail custody for near about four years but up till now, his trial has not been concluded.

Letter no. 13/2018 dated 12.7.2018 sent by Addl. Chief Judicial Magistrate I/C Assistant Sessions Judge, Dalsingsarai goes to show that lower court wants six to nine months more time for disposal of trial of the petitioner. However, the aforesaid letter of the court below is very cryptic in nature and does not reflect as to how many



witnesses have been left to be examined.

Moreover, learned counsel for the petitioner drew my attention towards deposition of the informant who has been examined as PW 3 in the court below and submitted that the informant failed to identify the petitioner in course of trial.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Assistant Sessions Judge, Dalsingsarai, Samastipur in Sessions trial no. 404/2014 arising out of Ujiyarpur P.S. Case no. 87/2014.

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(Hemant Kumar Srivastava,J)

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