

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28125 of 2018

Arising Out of PS.Case No. -4 Year- 2017 Thana -PARWATTA District- KHAGARIA

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1. ASHISH KUMAR @ ASHISH KUMAR PODDAR @ ASHEESH KUMAR PODDAR @ AMISH KUMAR PODDAR Son of Late Jay Narayan Poddar resident of Village - Madhurapur Bazar, Narayanpur, P.S. - Bihpur (Bhawanipur), District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sadanand Prasad Deo

For the Opposite Party/s : Mr. Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-06-2018 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in connection with Parbatta (Bharatkhand) P.S. Case No. 04 of 2017 corresponding to S.T. No. 316 of 2017 instituted for the offence under Sections 363, 366(A)/34 of the Indian Penal Code.

The regular bail of the petitioner was earlier rejected by this Court vide order dated 30.08.2017 passed in Criminal Miscellaneous No. 37391 with a liberty to the petitioner to renew his prayer for bail after six months if there is no substantial progress in the trial.

Report from the lower court regarding present stage of trial has been received. The court below has mentioned in the report that charge has not been framed till date.

Learned counsel for the petitioner has pointed out the statement of the victim girl recorded under Section 164 Cr.P.C. wherein, victim girl has stated that she had lived with the



petitioner for more than one month.

Considering the fact that petitioner is in custody since 25.02.2017 and also from the report of the court below, it appears that no substantive progress has been made in the trial, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) in connection with Parbatta (Bharatkhand) P.S. Case No. 04 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Khagaria subject to the condition that both the bailors will be close relative to the petitioner.

The petitioner, in any manner, will not try to hamper the trial by intimidating or influencing the witnesses. Further, the petitioner will remain present on each and every date of trial and his absence on two consecutive date(s) without reasonable cause will make his bail bond liable to cancelled.

(Sanjay Priya, J)

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