

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 5273 of 2019

Arising Out of PS. Case No.-118 Year-2017 Thana- Navanagar District- Buxar *

Shiv Narayan Singh @ Sheo Narain Singh aged about 34 years (Gender – Male), S/o Late Rambalak Singh, Resident of Village-Karsar, P.S.-Navanagar, District -Buxar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Parijat Saurav
For the Opposite Party/s : Mr. Raj Kishore Singh
Mr. Madanjeet Kumar

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 06-03-2019 Heard Sri Parijat Saurav, learned counsel for the petitioner, learned Addl. Public Prosecutor as well as Sri Madanjeet Kumar, learned counsel for the informant.

This is the 2nd attempt for grant of bail on behalf of the petitioner. Earlier, by order dated 27-06-2018 passed in Cr. Misc. No. 27099 of 2018, the bail petition of this petitioner was dismissed as withdrawn. After filing of the present bail petition, on 13-02-2019, this Court summoned a detailed report from the court below, which has been received and kept at flag 'X'. The report dated 18-02-2019, sent under the signature of the Presiding Officer, Fast Track Court – 1, Buxar, categorically indicates that the prosecution one way or the other has not produced witnesses on number of dates. It is further evident



from the report that before the court below, a petition was filed that one of the co-accused of the present case was murdered by the informant and his family members.

Sri Madanjeet Kumar, learned counsel for the informant has vehemently opposed the prayer for bail and submits that the accused persons themselves are responsible in delaying the conclusion of the trial.

Fact remains that despite issuance of non-bailable warrant of arrest, witnesses are not being produced before the court below. In such situation, it would not be proper to further detain the petitioner, who is in custody on surrender since 02-11-2017, as indicated in paragraph – 19 of the petition.

Accordingly, let the petitioner namely Shiv Narayan Singh @ Sheo Narain Singh be released on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Presiding Officer, F.T.C.-1, Buxar in connection with S.Trial No. 53 of 2018 (arising out of Navanagar P.S. Case No. 118 of 2017).

(Rakesh Kumar, J.)

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