

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12184 of 2019

Arising Out of PS. Case No.-445 Year-2017 Thana- BIHTA District- Patna

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Guddu Kumar Son of Sri Awadesh Rai @ Avadhesh Ray Resident of
Mohalla- New Gosai Tola, Danapur, P.S.-Danapur, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Kant Kumar, Adv

For the Opposite Party/s : Mr.Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 19-06-2019 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Sections 395,397 of the Indian Penal

Code.

Earlier prayer for bail was refused on merit of

this case by order at Annexure-1. The petitioner was

apprehended by the police soon after the commission of

occurrence of dacoity and the looted vehicle was recovered from

possession of the petitioner.

The report of the learned Trial Judge would

reveal that the case has not been committed to the court of

sessions as some of the accused are absconding after grant of

bail.



The learned court below is directed to separate the trial of the absconding accused and commit the case to the court of sessions at the earliest and the court of sessions shall conclude the trial within nine months of that date.

Petitioner is in custody since 01.09.2017.

Submission is that the petitioner is suffering from aids and is not getting proper treatment in jail.

Considering the special circumstance of nature of disease of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bihta Police Station Case No.445 of 2017, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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