

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18903 of 2019

Arising Out of PS. Case No.-102 Year-2017 Thana- SUIYA District- Banka

=====

Amar Kumar aged about 24 years Male, Son of Niranjana Singh @ Niranjana
Kumar Singh, Resident of village - Bihma, P.S.- Tarapur, District - Munger

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar

For the Opposite Party/s : A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 19-06-2019 Heard Sri Dhirendra Kumar, learned counsel for
petitioner and learned Additional Public Prosecutor.

This is 2nd attempt for grant of bail on behalf of the
petitioner. Earlier, by order dated 03.05.2018 passed in Cr. Misc.
No. 26493 of 2018 prayer for bail of the petitioner was rejected
even after noticing the fact that other two accused persons were
granted bail. The petitioner is in custody since 13.11.2017 in
connection with Suiya P.S. Case No. 102 of 2017 registered for
the offence under Section 394 of the Indian Penal Code, 1860.
By order dated 10.04.2019 a report was called for from the court
below regarding the present stage of the case which has been
received and kept at flag – 'L'. Vide letter no. 16 dated
30.04.2019 learned A.C.J.M.-I, Banka has reported that bail
bond of other three accused persons who were on bail was



cancelled since on the date of evidence of one of the witnesses there was non -appearance and case is running for appearance.

Considering the fact that petitioner is in custody since 13.11.2017 and case has gone at the appearance stage, certainly without any effective trial petitioner may not be detained for an indefinite period.

Accordingly, petitioner- Amar Kumar is directed to 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 Additional Chief Judicial Magistrate – Ist, Banka / concerned court in connection with Suiya P.S. Case No. 102 of 2017 with conditions that one of the bailors must be blood relation of the petitioner and secondly, on each and every date during the trial the petitioner shall remain physically present. If on two consecutive dates without prior permission of the trial court petitioner remains absent, his bail bond shall automatically stand cancelled.

(Rakesh Kumar, J)

praful/-

U		T	
---	--	---	--

