

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17328 of 2019

Arising Out of PS. Case No.-284 Year-2017 Thana- PATNA GRP CASE District- Patna

Chanki @ Chaiky @ Avinash Kumar (Male) aged about 28 years S/o Ashok
Sao, resident of Bahari Begumpur (Sidhe Bazar) Police Station – By pass,
District – Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajanan Mishra

For the Opposite Party/s : Sri Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 12-06-2019 Heard Sri Gajanan Mishra, learned counsel for the

petitioner and Sri Damodar Prasad Tiwary, learned Additional

Public Prosecutor.

The sole petitioner, who is in custody since
11.07.2017 as stated in paragraph 11 of the petition, has prayed
for grant of bail in connection with Patna Junction (Patna
Saheb) Rail P.S. Case No. 284 of 2017 corresponding to
Sessions Trial No. 711 of 2017, registered for the offence under
Section 147, 148, 149, 341, 323, 290, 379, 307 of the Indian
Penal Code, 1860 and Section 27 of the Arms Act, 1959.

Learned counsel for the petitioner has emphatically
argued that despite the fact that petitioner is languishing in jail
since 2017 and in the case charge was framed on 27.03.2018,



till date of filing of the present petition, not even a single witness was examined.

Considering the period of custody as well as the fact that case has not proceeded properly, there is no reason to further detain the petitioner.

Let the petitioner Chanki @ Chaiky @ Avinash Kumar be enlarged 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 VIth Addl. Sessions Judge, Patna / concerned court in connection with Patna Junction (Patna Saheb) Rail P.S. Case No. 284 of 2017 corresponding to Sessions Trial No. 711 of 2017 with conditions that one of the bailors must be blood relation of the petitioner and secondly, on the date of evidence the petitioner shall remain physically present in the court. If on the date of evidence petitioner fails to appear without prior permission of the trial court, his bail bond shall automatically stand cancelled.

(Rakesh Kumar, J)

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