

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36779 of 2019

Arising Out of PS. Case No.-223 Year-2013 Thana- RAJPUR District- Buxar

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RAMESH RAI Son of Rajendra Rai Resident of Village - Dihri, P.S.- Rajpur,
Distt – Buxar. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Sharma

Mr.Bipin Kumar

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 17-08-2019 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State as well as informant.

Petitioner is in custody in connection with Rajpur P.S.

Case No. 223 of 2013 for the offence under sections 147, 148,
149 and 302 of the Indian Penal Code as well as 27 of the Arms
Act.

Learned counsel for the petitioner would submit that

petitioner is in custody since 30.4.2016 and as such he has

remained in custody for more than three years

Learned counsel for the informant submits that

petitioner absconded for nearly two and half years. However, he

admits that the petitioner has remained in custody for more than

three years. He submits that there is apprehension that the

petitioner, if released on bail, he may commit crime against the

family of the informant.

Considering the totality of the fact situation



particularly the fact that petitioner has remained in custody for more than three years, the Court is inclined to grant bail to the petitioner, let the petitioner, named above, 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 Additional District Judge-III, Buxar, in connection with Rajpur P.S. Case No. 223 of 2013 subject to the condition (1) petitioner shall not cause any influence and threat to the informant or witnesses.

(II) Petitioner shall extend full cooperation in the early conclusion of the trial.

In the event, the petitioner fails to attend the court proceeding on two consecutive dates without any cogent reason, liberty shall be available to the court below to cancel the bail bond. The informant shall be at liberty to move before the court below in the event the informant sides receive any threat, on application, the trial court shall pass appropriate order on appropriate enquiry.

(Anil Kumar Upadhyay, J)

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