

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1964 of 2019

Arising Out of PS. Case No.-543 Year-2016 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Gautam Kumar Choudhary @ Gautam Kumar, son of Surendra Choudhary,
resident of Village- Sirsiya, P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Anita Kumari, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with Sessions Trial No. 616 of 2017, arising out of Kanti P.S. Case No. 543 of 2016, for the offence under Sections 302, 448/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that earlier the petitioner approached this Court in Cr. Misc. No. 17076 of 2017 and Cr. Misc. No. 21716 of 2018. He further submits that by order dated 18.04.2018 passed in Cr. Misc. No. 21716 of 2018 a Co-ordinate Bench of this Court observed that if the trial is not concluded within six months from the date of receipt/production of a copy of the order and there is no fault on the part of the petitioner, then he may renew his prayer for bail.



Learned counsel for the petitioner submits that the petitioner is in custody since 09.01.2017.

Considering the fact that the prayer for bail of the petitioner was rejected on 18.04.2018 and thereafter nine months have passed, but the trial is not concluded and also the statement made in para 15 onwards of the petition, particularly, para 19, which indicates that the petitioner is not responsible for delay in conclusion of the trial, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of 6th Additional Sessions Judge, Muzaffarpur in connection with Sessions Trial No. 616 of 2017, arising out of Kanti P.S. Case No. 543 of 2016 with the condition that the petitioner would extend full co-operation in the trial of the case. In the event, the petitioner is found in delaying the trial, the trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Anil Kumar Upadhyay, J)

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