

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11873 of 2020

Arising Out of PS. Case No.-39 Year-2001 Thana- NAUBATPUR District- Patna

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NIRBHAY SINGH Son of Durga Singh Resident of Village- Supauli
(Suphuli), P.S.- Masaurhi, District- Patna. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar
For the Opposite Party/s : Mr.Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

3 03-06-2020

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 302, 307, 452, 380 and 427 of the Indian Penal Code and Section 27 of the Arms Act.

Earlier also, petitioner had moved this Court for grant of regular bail which was rejected vide Annexure 1 with liberty to renew his prayer for bail if trial is not concluded within seven months.

By order dated 28.02.2020, a report was called for from the court concerned regarding the stage of trial. The report of court concerned is kept on record as X. It appears from the report of the Add. District & Sessions Judge-I, Danapur (Patna) that out of total ten witnesses, five non-official witnesses and



two official witnesses are yet to be examined in this case and for appearance of rest witnesses, summons, bailable and non-bailable warrants have been issued.

Petitioner has no criminal antecedent and he is in custody since 11.03.2016, i.e., more than four years.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with S. T. No. 210A/2004 arising out of Naubatpur P.S. Case No.39 of 2001, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of



bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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