

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52079 of 2019

Arising Out of PS. Case No.-142 Year-2018 Thana- SARAI RANJAN District- Samastipur

Nitesh Kumar, Son of Barun Kumar @ Barun Mishra, Resident of Village-
Karihara, P.S.-Sarairanjan, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Nagendra Kumar, Advocate
For the State	:	Mr.Mukeshwar Dayal, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 27-02-2020 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 04.09.2018 in connection with S.T. No.36 of 2019 (Registration No.36 of 2019) arising out of Sarairanjan P.S. Case No.142 of 2018 registered for the offence under Sections 420, 489A, 489B, 489C and 489D of the Indian Penal Code.

Learned counsel for the petitioner submits that earlier the prayer for bail of the petitioner was rejected on 28.01.2019 in Cr.Misc. No.78384 of 2018. Learned counsel further submits that since the trial is lingering, the petitioner has renewed his prayer for bail. Learned counsel for the petitioner further submits that earlier the prayer for bail was rejected without considering the case diary and there is no material on the record



to indicate the implication of the present petitioner. Learned counsel, however, submits that at all material times, the petitioner shall co-operate in any further investigation and also in course of the trial and since he has already been languishing in jail for more than one and a half years, the petitioner may be extended the privilege of bail.

Considering the aforementioned facts and circumstances, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 4th Additional Sessions Judge, Samastipur, in connection with S.T. No.36 of 2019 (Registration No.36 of 2019) arising out of Sarairanjan P.S. Case No.142 of 2018, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, son, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court



concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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