

IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr. Misc. No.25696 of 2009

SUDHIR RAI, son of Shree Rai, resident of village Khirodarpur, Police
Station Khushrupur, district Patna .. Petitioner

Versus

STATE OF BIHAR

.. Opposite Party

/3/ **30.10.2009**

Heard both the sides.

2. The petitioner seeks bail in a case instituted
under Section 302 of the Indian Penal Code.

3. Taking into consideration the fact that the
petitioner was not named in the first information report and
after six days the wife of the deceased appeared as an eye
witness and stated that the co-accused, Bachhu Rai, fired at
her husband whereas the petitioner had dragged the deceased
from the train, but, no report had been given anywhere, in this
regard, let the petitioner, above named, who is in custody
since 10.04.2009, be released on bail on furnishing bail bond
of Rs.5,000/- (rupees five thousand) with two sureties of the
like amount each in connection with G.R.P. Bakhtiarapur
(Fatuha) P.S. Case No. 16 of 1999 to the satisfaction of the
Railway Judicial Magistrate, Patna Junction, Patna, on the
conditions (i) that one of the bailors will be a close relative of

the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner and (ii) that the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner then his bail will be liable to be cancelled for reasons of misuse.

4. The learned Magistrate is directed to furnish the police papers to the present petitioner within a month of the receipt of this order and commit the case for trial and the trial Court once in seisin of the case will conclude the same within a period of nine months, since, the case is of the year 1999.

S.A.

(Anjana Prakash, J.)

