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Dinesh Malakar Vs. the State of Bihar

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Court : Patna

Decided On : May-25-2012

Appellant : Dinesh Malakar

Respondent : The State of Bihar

Judgement :
Patna High Court Cr.Misc. No.845 of 2012 (2) dt.25-01-2012 IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.845 of 2012 ========== Dinesh Malakar, S/O-Gorakh Malakar .... Petitioner/s Versus The State Of Bihar .... Opposite Party/s ========== ========== CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA ORAL ORDER (Per: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

25. 01-2012 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State. Earlier the prayer for bail of the petitioner was rejected by this Court vide order dated 15.03.2011 passed in Cr. Misc. No. 2783 of 2011 with liberty to petitioner to renew his prayer for bail, if his trial is not concluded within nine months. Learned counsel for the petitioner points out that up- till-now only one prosecution witness has been examined in part and the prosecution party is intentionally lingering the matter with a view to keep the petitioner in jail custody. It is further pointed out by him that petitioner is in jail

custody since 19.06.2010 though there is allegation against him that he had opened fire on the injured. Considering the aforesaid facts and circumstances as well as period of detention of the petitioner in jail custody, let Patna High Court Cr.Misc. No.845 of 2012 (2) dt.25-01-2012 the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge, Fast Track Court-III, Nalanda at Bihar Sharif in connection with Sessions Trial No. 874 of 2010 arising out of Bihar P.S. Case No. 136 of 2010. (Hemant Kumar Srivastava, J.) SHAHZAD/-

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