

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.15433 of 2015**

Arising Out of PS.Case No. -114 Year- 2011 Thana -BIHTA District- PATNA

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JITENDRA YADAV @ JITENDRA KUMAR Son of Late Ram Narayan  
Yadav resident of Vil- Bimwa P.s- Jagdishpur dist- Bhojpur

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA**  
**ORAL ORDER**

3 06-05-2015

Heard the parties.

The prayer for bail of the petitioner was earlier rejected by this Court by order dated 02.08.2014 passed in Cr. Misc. No. 22361 of 2014 (Annexure-1) with an observation that if the trial of the petitioner is not concluded within a period of six months, then he shall be at liberty to renew his prayer for bail before this Court.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is in judicial custody since 02.01.2012 and the trial of the petitioner has not been concluded till date despite observations and directions made by this Court. A report has been submitted by the learned trial court in compliance of the order dated 15.04.2015, which has been kept at flag-A. The report dated 21<sup>st</sup> April, 2015 also shows that the trial of the petitioner is still pending and several prosecution witnesses are yet to be examined.

In above view of the matter, the prayer for bail is allowed. The petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned Additional

Sessions Judge-V, Danapur, Patna in connection with S.Tr. No. 233 of 2012 arising out of Bihita P.S.Case No. 114/11, subject to the conditions that:

- (A) One of the bailors shall be Government servant and other shall be either his mother or close relative,
- (B) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and
- (C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fail to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

**(Birendra Prasad Verma, J)**

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