

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31788 of 2015

Arising Out of PS.Case No. -77 Year- 2005 Thana -KHIJARSARAI District- GAYA

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1. Sanjay Yadav @ Lallu Yadav Son of Deo Nandan Yadav Resident of
village - Nadara, P.S. Khizarsarai, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anjani Kumar Jha

For the Opposite Party/s : Mr. Rina Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD
SINGH
ORAL ORDER

3 04-11-2015

This is the fifth attempt of the petitioner, seeking bail in relation to Khizarsarai P.S. Case No. 77 of 2005, instituted under sections 147, 148, 149, 324, 326, 332, 333, 307, 302, 353 and 379 of the Indian Penal Code, section 27 of the Arms Act, sections 3 & 4 of the Explosive Substance Act and section 17 of the Criminal Law Amendment Act.

The petitioner has been in custody since 18-5-2010 i.e., over five years. The trial court repeatedly sought time to conclude the trial, but as per the latest report received, inspite of summons, bailable and non-bailable warrants, not a single witness has turn up as yet. It is submitted that all the witnesses are official witnesses. It is further submitted that the prosecution does not appear to be serious about the trial, and it only wants to keep the

petitioner in custody as long as possible.

Considering the facts and circumstances, as also the earlier orders of this Court in relation to this case, including the order dated 22-10-2014 passed in Cr. Misc. 31611 of 2014, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Adhoc Sessions Judge, 1st, Gaya, in connection with Sessions Trial No. 131/2013(24/2013) arising out of Khizarsarai P.S. Case No. 77 of 2005.

Let a copy of this order be sent to the Chief Secretary, Government of Bihar, Patna.

(Navaniti Prasad Singh, J)

B.K.Roy/-

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