

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3627 of 2015

Arising Out of PS. Case No. -3 Year- 2013 Thana -BANGAON District- SAHARSA

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Mantu Yadav @ Manta Yadav @ Mantu Choudhary Son of Ashok
Chaudhary Resident of vill-Ufrail,P.S-K.Hat,Distt.-Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Anil Pd. 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 order dated 04.10.2013 passed in Cr. Misc. No. 35912 of 2013 (Annexure-1) with an observation that if the trial of the petitioner is not concluded within a period of one year from the date of receipt/production of a copy of this order, then he shall be at liberty to renew his prayer for bail.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is in judicial custody since 19.05.2013 i.e. almost two years, but his trial has not been concluded.

In compliance of the order dated 18.04.2015, a report has been submitted by the learned trial court stating that the trial of the petitioner is still pending and some more 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 1st Additional District & Sessions Judge, Saharsa in connection with

Sessions Case No. 192 of 2013 arising out of Bangaon P.S.Case No. 3 of 2013 , subject to the conditions that:

(A) Both the bailors shall be Government servants,

(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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