

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36448 of 2015

Arising Out of PS.Case No. -311 Year- 2013 Thana -SHEKHPURA District- SEKHPURA

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1. Rabo Yadav Son of Baleshwar Yadav
 2. Baleshwar Yadav Son of Late Mahabir Yadav Both resident of Village-Dihra, P.S.- Lakhisarai, District- Lakhisarai, and According to F.R.I. resident of Village- Pathlapur, P.S.- Sheikhpora, District- Sheikhpora.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Bharat Lal

For the Opposite Party : Mr. C.Sen Pd.Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 19-08-2015 Heard the learned counsel for the petitioners as well as the learned A.P.P.

The petitioners want to renew their prayer for bail which had already been rejected twice by order dated 16.07.2014 and 25.03.2015 passed in Cr. Misc. No. 25283 of 2014 and 1509 of 2015 respectively on the ground that petitioner no.1 is suffering in custody since 03.02.2014 and petitioner no.2 since 04.01.2014 respectively and the trial has not been concluded as yet. Further that similarly situated co-accused Sukhdeo Yadav has been allowed bail by order dated 29.07.2015 passed in Cr. Misc. No. 18870 of 2015 by another Bench of this Court and further co-accused Jagdish Chauhan and Jitendra Chauhan have already been

allowed bail by order dated 15.04.2015 passed in Cr. Misc. No. 51067 of 2014. The learned A.P.P. is not in a position to distinguish the case of the petitioners from those co-accused.

In the facts and circumstances as stated above, the petitioners are also directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge, Sheikhpura in S.T. No. 634 of 2014 arising out of Sheikhpura P.S. Case No. 311 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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