

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40970 of 2015

Arising Out of PS.Case No. -30 Year- 2014 Thana -RAIL District- LAKHISARAI

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Jitendra Yadav, S/o Deoki Yadav, Resident of Village-Dobhrapar, P.S.-
Bundelkhand, District-Nawada. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 02-09-2015

Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Sessions Trial No. 638 of 2014 arising out of G.R.P. Kiul P.S.
Case No. 30 of 2014 registered under Sections 399, 402 of the
Indian Penal Code and 25(1-B)(a), 26 and 35 of the Arms Act.

The prayer for bail of the petitioner was earlier
rejected by this Court vide order dated 13.10.2014 passed in
Cr. Misc. No. 36645 of 2014 with following observation:-

“The learned Ad-hoc Additional Sessions
Judge-V, Lakhisarai is directed to hold the trial
of the petitioner on day-to-day basis and
conclude the same as early as possible

preferably within nine months from the date of receipt/production of a copy of this order failing which the petitioner would be entitled to renew his prayer for bail.”

It is contended that the petitioner is in custody since 27th March, 2014 and during trial, three witnesses are yet to be examined. It is further submitted that since last three months, no witness has turned up to depose before the trial court.

Learned APP for the State has opposed the prayer for bail.

Regard being had to the facts and circumstances of the case, the petitioner is directed to 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 the learned Ad-hoc Additional District & Sessions Judge-V, Lakhisarai in Sessions Trial No. 638/14 arising out of G.R.P. Kiul P.S. Case No. 30/14.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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