

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4360 of 2015

Arising Out of PS.Case No. -76 Year- 2010 Thana -BARHARA District- PURNIA

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1. Habbi Yadav @ Chandra Shekhar Singh S/o Late Devenda Yadav R/o
Village Damgara, P.S. D;hamdaha, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Ram Bachan Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 15-04-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Earlier prayer for bail of the petitioner was rejected several times and this court directed the trial court to conclude the trial of the petitioner within a certain period of time but uptill now, trial of the petitioner could not be concluded and the learned Ad hoc Additional Sessions Judge-VIII, Purnea has reported vide his letter No. 31 dated 09-02-2015 that still the case is pending for recording the deposition of one doctor.

The petitioner is in jail custody since 11-11-2010.

No doubt, the petitioner is said to be main assailant but no person can be detained for indefinite period in jail custody in the name of trial and if, prosecution fails to produce its

witnesses within a reasonable time, the accused may be released on bail.

Accordingly, the petitioner named above, 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 in connection with Sessions Trial No. 1221 of 2010/S.T. No. 1482 of 2010/S.T. No. 218 of 2011 arising out of Barhara P.S. Case No. 76 of 2010 to the satisfaction of learned Ad hoc Additional Sessions Judge-VIII, Purnea subject to condition that one of the sureties must be close relative of the petitioner and holder of landed property and that surety must file an affidavit, disclosing this fact as to how he is related with the petitioner and furthermore, the petitioner shall attend the trial court, in person, on each and every date for the period of 4 months or till conclusion of his trial whichever is earlier and if, he fails to do so, on two consecutive dates without any reasonable cause, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner after making proper inquiry.

A.K.V./-

(Hemant Kumar Srivastava, J)

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