

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5248 of 2016

Arising Out of PS.Case No. -316 Year- 2012 Thana -BAKHTIYARPUR District- PATNA

=====

1. Suresh Yadav, son of Late Durga Yadav, Resident of Village- Madhopur,
P.S.- Bakhtiyarpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amit Kumar

For the Opposite Party/s : Mr. Smt. Madhurilata (App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 27-04-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Earlier the prayer for bail of the petitioner was twice
rejected by this court with direction to trial court to expedite the
trial of the petitioner and to conclude the same as early as possible
and a liberty was given to petitioner to renew his prayer before the
trial court, if his trial is not concluded within nine months.

Contention on behalf of the petitioner is that up till
now, the trial of the petitioner could not be concluded and having
more or less similar allegation, co-accused, Ranjeet Yadav and

some others have already been granted privilege of bail.

Learned counsel appearing for the informant submits that three prosecution witnesses have already been examined but he fairly concedes that altogether nine witnesses have been cited in the charge sheet.

In view of the aforesaid submission, it appears to me that there is no likelihood of conclusion of trial of the petitioner in near future. Petitioner is in jail custody since 01.12.2012 and having more or less similar allegation, several co-accused have already been granted privilege of bail. Furthermore, petitioner does not have any criminal antecedent.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II, Barh in connection with Sessions Trial No. 358 of 2014 arising out of Bakhtiyarpur P.S. Case No. 316 of 2012, subject to condition that he shall attend the trial court on each and every date in person for the period of six months or till conclusion of his trial whichever is earlier and furthermore, he shall not make any effort to tamper with the prosecution evidence and if he does so or fails to appear before the trial court on two

consecutive dates without any genuine cause, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner after due and proper enquiry.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

U		T	
---	--	---	--