

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17372 of 2016

Arising Out of PS.Case No. -168 Year- 2014 Thana -KHODAWANPUR District- BEGUSARAI

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1. Arun Yadav S/o Late Khalath Yadav, resident of Village- Izaraha, P.S.-
Khodawandpur (Chhourahi), District- Begusarai. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Naresh Singh

For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 27-04-2016 Heard the Counsel for the petitioner. No one has
appeared on behalf of the State.

This is repeat application seeking bail in
Khodawandpur (Chhaurahi O.P.) P.S. Case No. 168 of 2014
registered under Sections 302, 120B and 34 of the Indian Penal
Code and Section 27 of the Arms Act.

Considering the allegation and the materials collected
in course of investigation, his prayer for bail was rejected by this
Court vide order dated 03.07.2015 passed in Cr. Misc. No. 10613
of 2015 (Annexure-1). The petitioner was, however, granted
liberty to renew prayer for bail if the trial does not conclude within
06 months. That is how the application is filed.

From the impugned order passed by the learned
Additional Sessions Judge-VIII, Begusarai in S.T. No. 69 of 2015,
it appears all prosecution witnesses have already been examined
except the I.O. and the doctor. It is stated that some other co-

accuseds of the case have since been released by this Court under diverse orders. Petitioner is in custody since 04.08.2014.

Considering the facts and circumstances of the case, this Court, while declining the prayer for grant of bail, disposes of the application by the following order:-

Let the Trial Court in seisin of the S.T. No. 69 of 2015 endeavour and conclude examination of all the remaining prosecution witnesses within three months from the date of receipt/communication of the order failing which the petitioner shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each subject to the following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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