

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25169 of 2016

Arising Out of PS.Case No. -471 Year- 2002 Thana -KOTWALI District- MUNGER

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Rajesh Yadav @ Khanna Son of Ramdeo Yadav Resident of Village
Shankarpur, PS Muffassil, District Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. M. Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 03-08-2016 Heard the counsel for the petitioner and Mr. M. Dayal,

APP for the State.

For an occurrence punishable under Section 302/120B of the Indian Penal Code and Section 27 of the Arms Act vide Kotwali P.S. Case No. 471 of 2002, an FIR was lodged on 27.09.2002 in which the petitioner surrendered in April 2003. He was released on bail by this Court on 27.08.2003. Thereafter, the petitioner remained present through representation before the Court until his application filed under Section 317 of the Code of Criminal Procedure was turned down on 13.11.2008. The Court, thereafter, took steps for his arrest. The petitioner surrendered on 05.02.2015 and since then he is in custody. It is stated that in the meanwhile, a prayer for provisional bail was made on his

behalf which was allowed and after availing the provisional bail the petitioner surrendered within time.

Status report called for is placed at Flag 'A'. The trial has commenced and few witnesses have been examined. Considering the period of incarceration of the petitioner in custody as also the fact that he was granted the provisional bail and he presented himself before the Court before expiry of the period, I am inclined to direct his release from jail custody.

Let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Session Judge, Munger in Kotwali P.S. Case No. 471 of 2002 with further condition that one of the bailors shall be his own/close family member. The petitioner shall appear in person on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel his bail bonds.

rohit/-

(Kishore Kumar Mandal, J)

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