

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57006 of 2015

Arising Out of PS.Case No. -124 Year- 2011 Thana -KHODAWANPUR District- BEGUSARAI

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1. Ram Dayal Yadav son of Shiv Lal Yadav resident of Village - Ejraha,
P.S. - Out Post Chhaurahi (Khodawandpur Police Station), District -
Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shaishav Kumar

For the Opposite Party/s : Mr. Anil Kr. Singh No.1 (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 09-03-2016

Heard.

Earlier, the prayer for bail of the petitioner was thrice rejected by this Court giving direction to the trial court to conclude the trial of the petitioner as early as possible but it is shocking to see that charge was framed in the year 2012 and, even after lapse of four years, only ten witnesses out of seventeen charge sheeted witnesses could be examined in this case and again the trial court has sought six months time to conclude the trial of the petitioner.

No doubt, petitioner and one co-accused Sanjay Yadav are said to have committed murder of the deceased by giving several dagger blows to him but petitioner is in jail custody since 12.10.2011 and no person can be detained in judicial custody for

indefinite period without any substantive progress in his trial

Considering the period of detention of the petitioner in jail custody as well as present stage of trial, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Sessions Judge 1st Begusarai in connection with Sessions Trial No.190 of 2012, arising out of Khodawandpur P.S.Case No. 124 of 2011, subject to the condition that tempering with the prosecution evidence by the petitioner shall be viewed seriously and the trial court shall be at liberty to cancel the bail bonds of the petitioner after making proper inquiry.

(Hemant Kumar Srivastava, J)

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