

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.46624 of 2015**

Arising Out of PS.Case No. -199 Year- 2007 Thana -MOKAMAH District- PATNA

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1. Subodh Yadav Son of Late Basant Yadav resident of vill. - Gosain Gaon,  
P.S. Ghoswari ( Mokama ), District - Patna

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sidhendra Narayan Singh

For the Opposite Party/s Mr. Sanjay Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

6      30.03.2016      Heard learned counsel for the petitioner as well as learned  
Addl. Public Prosecutor for the State.

Petitioner is in jail custody since 24.4.2010 and earlier his prayer for bail was rejected twice by this court giving direction to trial court to conclude the trial of the petitioner within certain period but in spite of specific direction of this court, trial court could not succeed to conclude the trial of the petitioner within the stipulated period. However, it has been reported by the trial court that order of this court could not be communicated to the concerned court and in course of enquiry, it was detected that one Duniya Lal Yadav failed to place the order of this court as a result of which the concerned officer could not know the order of this court. The aforesaid erring clerk has already been relieved from civil court, Barh and joined at his new assignment in other department.

No doubt, petitioner appears to be the main assailant and

carries criminal antecedent of five cases but it would appear from the report of learned Sessions Judge that the case is pending for recording the statements of I.O and doctor and almost all private witnesses have already been examined.

Therefore, considering the above stated facts and circumstances as well as the period of detention of the petitioner in jail custody, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge IV, Barh in Sessions Trial no. 874/2010 arising out of Mokama P.S. Case no. 199/2007 subject to the conditions that one of the sureties must be close relative of the petitioner and shall be holder of the landed property and furthermore, petitioner shall attend the learned trial court in person on each and every date for the period of six months or till conclusion of his trial whichever is earlier and if he fails to do so on two consecutive dates without any reasonable explanation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

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(Hemant Kumar Srivastava,J)

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