

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 5814 of 2015

Arising Out of PS.Case No. -33 Year- 2011 Thana -KARAI PASURAI District- NALANDA
(BIHARSHARIF)

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Jilajeet @ Indrajeet Yadav @ Indrajeet Kumar @ Indrajeet S/o Late Dhuri Yadav
R/v - Nesara, P.S. Karai - Pasurai, Distt. – Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Sinha, Advocate
For the State	:	Mr. Bhanu Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 03-08-2016

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner seeks bail in Karai Parsurai P.S. Case
No. 33 of 2011 dated 04.05.2011 instituted under Sections
302/120B/34 of the Indian Penal Code.

This is the second attempt of the petitioner for bail
as earlier such prayer was rejected by order dated 09.07.2014 in Cr.
Misc. No. 11551 of 2014, by which the Court below was directed to
expedite the trial and conclude the same within six months. The
same has not been done.

In view of the aforesaid, a report was called for and
the same has been received giving various reasons for the case not to
be concluded.



Learned A.P.P. was also asked to obtain copy of the case diary which has been done. By order dated 29.06.2016 the two eye witnesses namely, Chandradeo Ram and Karpu Yadav, had to be examined. From the certified copy of the order-sheet and the depositions of Chandradeo Ram and Karpu Yadav, which is taken on record, it is clear that the petitioner has not been named in any capacity. Even other witnesses have not assigned any overt act or role to the petitioner in the crime. Learned counsel for the petitioner submits that the petitioner is in custody since 05.09.2013 and except for another case of the year 2009 in which he is on bail, he is not accused in any other case. He further submits that another co-accused namely, Vijay Yadav, who is similarly situated, has been granted bail by a co-ordinate Bench of this Court on 09.10.2012 in Cr. Misc. No. 29597 of 2012.

Learned A.P.P., on perusal of the case diary and certified copy of the depositions and order of the Court below in the trial, does not dispute the aforesaid position.

Considering the facts and circumstances of the case and submissions of learned counsel for 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 the learned 2nd Ad hoc Additional Sessions Judge, Hilsa, Nalanda

in Karai Parsurai P.S. Case No. 33 of 2011, subject to the condition that the petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to do so shall lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	N/A
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A