

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21371 of 2016

Arising Out of PS.Case No. -241 Year- 1989 Thana -NATHNAGAR District- BHAGALPUR

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1. Uchit Yadav Son of Late Shyam Yadav, Resident of village- Uttar Tola Bhatoriya, Police Station- Nath Nagar, District- Bhagalpur, At Present resident of Mohalla Barari, Police Station- Barari, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 13-07-2016

Heard learned Counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Sections 147, 148, 149, 302, 307, 353, 436, 380, 295A, 120B of the Indian Penal Code as well as 27 of the Arms Act and $\frac{3}{4}$ of the Explosive Substance Act.

The Petitioner was granted bail by this Court but he failed to appear in the Court below in terms of the directions of this Court. Under which circumstances, the Trial Court cancelled his bail bonds. The Petitioner is in custody since 22.2.2016 and now charges have been framed and he undertakes to be physically present on each date of trial.

In such circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 5,000/-(Five

thousand) with two sureties of the like amount each or any other surety to be fixed by the court concerned to the satisfaction of learned 3rd Additional District and Sessions Judge, Bhagalpur in connection with Sessions Trial No.415A of 2015 arising out of Nath Nagar P.S. Case No.241 of 1989, subject to the conditions (i) That one of the bailor will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will undertake to furnish information to the Court about any change in address of the petitioner. (ii) That the petitioner shall be physically present on each date during trial and if he fails to do so on two consecutive dates without any reasonable cause, his bail shall stand automatically cancelled.

The Trial Court is directed to conclude the trial positively within a period of six months from the date of receipt of this order without granting unnecessary adjournments to nay party.

(Anjana Prakash, J)

Narendra/-

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