

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 31720 of 2016

Arising Out of PS.Case No. -288 Year- 2015 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Binod Yadav, Son of Ram Yaddi Yadav, Resident of village- Jamuninar,
Police Station- Adhaura, District- Kaimur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajesh Kumar Pathak, Advocate

For the Opposite Party : Mr. Sri Amitesh Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 10-08-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew his prayer of bail, which was earlier rejected vide order dated 11.01.2016 passed in Cr. Misc. No. 53320 of 2015, which was disposed of in Cr. Misc. No. 43546 of 2015 and Cr. Misc. No. 51523 of 2015, on the ground that the petitioner is in custody since 14.08.2015 and as per direction of this court the trial has not been concluded within six months. There is no chance of tampering with the prosecution evidence and the petitioner has been made the victim of the circumstances.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above,

considering the custody of the petitioner and further that there is no chance of tampering with the prosecution evidence and as such, in view of the observation, now the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned District & Sessions Judge, Kaimur at Bhabhu in S. Tr. No. 239 of 2016 arising out of Mohania P.S. Case No. 288 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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