

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19319 of 2016

Arising Out of PS.Case No. -62 Year- 2014 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Praveen Kumar Yadav @ Praveen Kumar @ Parveen Kumar S/o Sri Sarb
Narayan Prasad Yadav Resident of Vill- Badharwa fate Mohammad, P.s
Kundwa, Chainpur, Distt East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 04-07-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner wants to renew the prayer of bail which
was earlier rejected vide order dated 16.07.2015 passed in Cri.
Misc. No. 7515 of 2015 on the ground that earlier prayer of bail of
the petitioner was rejected at that stage, the petitioner who is in
custody since 08.08.2014 and up till now charges have been
framed and the case has been fixed for prosecution evidence and,
as such, in near future, the trial is not likely to be concluded,
though in the earlier order there was instruction to expedite the
trial. It is also submitted that the wife of the petitioner was
suffering from mental disorder and she was being treated at



RINPAS (Ranchi Mansik Aroyagasala) Kanke, Ranchi, vide annexure-3, the doctor has stated that the wife of the petitioner was suffering from Psychotic Depression type of mental disorder, the petitioner never demanded any thing, without proper investigation chargesheet was submitted and now there is no chance of tampering with the prosecution evidence and for fair trial the petitioner is required to be released on bail so that he may be able to put his defence.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail.

In the facts and circumstances stated above, considering that in near future, the trial is not likely to be concluded, there is no chance of tampering with the prosecution evidence and, as such, 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 the like amount each to the satisfaction of the learned S.D.J.M., Sikarahana at Dhaka, East Champaran in connection with Kundwa Chainpur P.S. Case No. 62 of 2014/G.R. Case No. 1019 of 2014 subject to the conditions that one of the bailors must be 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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