

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34129 of 2016

Arising Out of PS.Case No. -106 Year- 2014 Thana -GOPALPUR District- BHAGALPUR

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Lalu Yadav, son of Resho Yadav @ Rasiklal Yadav, resident of Village-
Fukiya, P.S.- Ismailpur, District-Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Amrendra Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 31-08-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew the prayer of bail, which was earlier rejected twice by order dated 04.03.2015 and 08.02.2016 passed in Cr. Misc. 43381 of 2014 and Cr. Misc. No. 52963 of 2015, on the ground that the petitioner is in custody since 27.03.2014. Co-accused Sunil Sharma has been allowed bail by Cr. Misc. No. 21246 of 2015 and Sharwan Yadav has already been acquitted. The trial has not been concluded within six months and the petitioner is at no fault and as such, he deserves sympathetic consideration.

The learned APP fairly submits that trial has not been concluded within time given by this Court.

In the facts and circumstances stated above, considering the detention of the petitioner and further that there is no chance of tampering with prosecution evidence, 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 A.D.J. II, Naugachia, Bhagalpur arising out of Gopalpur P.S. Case No. 106 of 2014 (G.R. Case No. 343 of 2014), 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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