

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11948 of 2017

Arising Out of PS.Case No. -5 Year- 2004 Thana -KUTUMBA District- AURANGABAD

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1. Sanjay Yadav, S/o Late Birta Yadav @ Brita, R/o Village- Bel Bigha,
P.S.- Mali, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-04-2017 Heard the parties.

This application has been filed in connection with Kutumba
P.S.Case No.5/2004 for the offence under Sections 147, 148, 149,
353 & 307 of the Indian Penal Code.

It is submitted on behalf of the petitioner that this is a case
of misuse of the privilege of bail for eight years but now he is in
custody for about 15 months. The charge has also been framed in
this case.

Heard learned A.P.P. also.

Having heard both sides and considering the fact that this
petitioner has been remanded in custody for about 15 months and
now the trial has been initiated, let the petitioner, above named, be
enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty



Five Thousand) with two sureties of the like amount each to the satisfaction of Additional District & Sessions Judge-1, Aurangabad in connection with S.t.No.459 of 2006/1 of 2016 arising out of Kutumba P.S.Case No.5 of 2004.

With following conditions :

- (i) One of the bailors of the petitioner shall be close relative having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available in the court below on each and every date and in the event of failure to appear on two consecutive dates without showing any genuine reasons, his bail bond shall automatically be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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