

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9196 of 2017

Arising Out of PS.Case No. -166 Year- 2015 Thana -BARACHATTI District- GAYA

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Ram Chalitar Yadav @ Chalitar Yadav, Son of late Sohrai Yadav, Resident
of Village- Padumchak, P.S.- Barachatty, District-Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhirendra Kumar, Advocate

For the Opposite Party : Mr. Sri Asharaf Ansari (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 08-03-2017 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 by order dated 02.05.2016 passed in Cri. Misc. No. 11995 of 2016, on the ground that the petitioner is suffering in custody since 08.09.2015, co-accused Vijay Yadav who assaulted the deceased on the head of Krishna Yadav has already been allowed bail vide Cr. Misc. No. 45486 of 2016 by order dated 29.11.2016 and other co-accused have also been allowed bail and, as such, now the petitioner also deserves sympathetic consideration, as the trial has not been concluded within nine months and the case is still pending for commitment.

The learned A.P.P. fairly submits that co-accused



Vijay Yadav who is also one of the assailant has also been allowed bail by another co-ordinate Bench of this Court.

In the facts and circumstances stated above, considering the period of detention and further that there is no chance of tampering with the prosecution evidence 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 A.C.J.M., Sherghati, District- Gaya, in connection with Barachatty P.S. Case No. 166 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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