

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21931 of 2017

Arising Out of PS.Case No. -69 Year- 2015 Thana -SHAMBHUGANJ District- BANKA

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1. Bittu Yadav @ Bittu Kumar Yadav son of Ashok Yadav Resident of
Village - Sahpur, P.S. - Shambhuganj, District - Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 24-05-2017 Heard learned counsel for the petitioner and the

learned counsel representing the State.

The petitioner wants to renew the prayer of bail which was earlier rejected vide order dated 23.06.2016 passed in Cri. Misc. No. 9191 of 2016, on the ground that the petitioner is suffering in custody since 24.07.2015. Due to land dispute the occurrence has taken place and assault has taken place with lathi and danda, there is no specific allegation against the petitioner, the allegations are general and omnibus in nature, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, the trial has not been concluded within nine months and the petitioner was given liberty to renew his prayer for bail and, as such, the petitioner deserves sympathetic



consideration.

The learned A.P.P. fairly submits that trial has not been concluded.

In the facts and circumstances stated above, 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 learned 1st Additional Sessions Judge, Banka, in connection with Sessions Trial. No. 279 of 2016 arising out of Shambhuganj P.S. Case No. 69 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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