

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55137 of 2016

Arising Out of PS.Case No. -43 Year- 2014 Thana -HASANPUR District- SAMASTIPUR

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Anil Yadav @ Bhaglu Yadav @ Jhalu Yadav son of Laxmi Yadav resident
of village - Bhatwan, Police Station - Hasanpur, District - Samastipur.

... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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

ORAL ORDER

3 22-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew his prayer of bail, which
was earlier rejected vide order dated 08.10.2015 passed in Cr.
Misc. No. 25429 of 2015, on the ground that the petitioner is in
custody since 07.06.2014 and in near future the trial is not likely
to be concluded as on behalf of the prosecution, petition under
Section 319 Cr.P.C. has been filed only with a view to delay the
disposal of the case which is evident from the report of the learned
trial Judge. There is no chance of tampering with prosecution
evidence and as such the petitioner deserves sympathetic
consideration.

Learned APP duly assisted by learned counsel for the
informant opposes the prayer of bail by submitting that the



petitioner is the husband and there is allegation against him.

In the facts and circumstances stated above, considering that in near future the trial is not likely to be concluded and further there is no chance of tampering with prosecution evidence, the petitioner above named 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 Additional Sessions Judge, Rosera, Samastipur in Sessions Trial no. 672 of 2015 arising out of Hasanpur P.S. Case No. 43 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.

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(Jitendra Mohan Sharma, J)

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