

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21818 of 2017

Arising Out of PS.Case No. -48 Year- 2015 Thana -SISWAN District- SIWAN

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Krishna Yadav, S/o Raj Narayan Yadav, Resident of Village- Noniyatoli,
P.S. Siswan, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajani Kumari, Advocate

For the Opposite Party : Mr. Rajeev Nayan (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 28-06-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew the prayer of bail,
which was earlier twice rejected vide order dated 26.02.2016
passed in Cr. Misc. 50301 of 2015 and order dated 21.09.2016
passed in Cr. Misc. No. 41243 of 2016 respectively, on the ground
that the petitioner is suffering in custody since 26.06.2015, having
no criminal antecedent, no offence under Section 302 of the I.P.C.
is made out. The injury caused was not on the vital party of the
body and, as such, the petitioner deserves sympathetic
consideration and further the trial has not been concluded within
the time given by this Court and the petitioner was given liberty to
renew his prayer for bail. Up till now no prosecution witness has



been examined and the trial is not likely to be concluded in near future.

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

In the facts and circumstances stated above, 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.2nd Siwan, in connection with Siswan P.S. Case No. 48 of 2015 vide S. Tr. No. 161 of 2016., 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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