

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53663 of 2017

Arising Out of PS.Case No. -300 Year- 2015 Thana -BIHPUR District- BHAGALPUR

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Mahanand Yadav @ Julmi Yadav @ Julmi, S/o Late Sahdeo Yadav,
Resident of Village- Balha, P.S. Bihpur (Bhawanipur) District- Bhagalpur
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 08-11-2017 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 28.06.2016 and 15.03.2017 passed in Cr. Misc. 18052 of 2016 and Cr. Misc. No. 10018 of 2017 respectively, on the ground that the informant is not an eye-witness and due to land dispute the occurrence has taken place, up till now only two prosecution witnesses have been examined wherein P.W.1 is turned hostile. There was direction to conclude the trial within six months, but the trial has not been concluded and the petitioner was given liberty to renew his prayer for bail.

The learned A.P.P. opposes the prayer of bail, but fairly submits that trial has not been concluded within six months



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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 the learned Additional District and Sessions Judge, 1st Naugachiya, in connection with Bihpur (Bhawanipur) P.S. Case No. 300 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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