

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51422 of 2017

Arising Out of PS.Case No. -148 Year- 1999 Thana -UDAKISHANGANJ District- MADHEPURA

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Suresh Yadav Son of Late Khushilal Yadav, Resident of Village-
Bhajanpatti, P.S.- Sour Bazar, District- Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Chandra Mohan Jha, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 13-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 27.04.2017 in connection with Sessions Trial No. 45 of 2007 arising out of Udakishunganj (Bihariganj) P.S. Case No. 148 of 1999 for the offences alleged under Section 395 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated. Learned counsel for the petitioner submits that the petitioner was earlier released on bail on 11.07.2002 and regularly made pairvy in the case. Charges were framed on 29.03.2007 and thereafter no witnesses were examined by the prosecution. It is stated that the petitioner was made accused in Sour Bazar P.S. Case No. 211 of 2011 in connection with which he remained in Saharsa jail and therefore he was unable to attend the Court leading to cancellation of his bail bond on 28.09.2011. Upon coming to know of such cancellation of his bail bond, the petitioner voluntarily surrendered on 27.04.2017 and since then he has been in custody. Petitioner undertakes to appear on day-to-day basis before the learned court below during trial.



4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned A.D.J. 1st, Madhepura, in connection with Sessions Trial No. 45 of 2007 arising out of Udakishunganj (Bihariganj) P.S. Case No. 148 of 1999, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/BT

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