

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55131 of 2017

Arising Out of PS. Case No.-38 Year-2014 Thana- MAHILA P.S. District- Banka

Rajesh Kumar Yadav @ Rajesh Yadav Son of Rajendra Yadav Resident of
Village - Shasan, Police Station - Banka, District Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda

For the Opposite Party/s : Mr. SRI MRITUNJAY KUMAR NIRALA

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

ORAL ORDER

2 15-11-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner wants to renew his prayer of bail, which was earlier rejected twice vide order dated 04.02.2015 and 26.07.2017 passed in Cr. Misc. No. 47170 of 2014 and 29584 of 2017 on the ground that the petitioner is in custody since 31.07.2014 after his surrender. Sample of the petitioner has already been taken twice but DNA test report has not been received. The trial has also not been concluded within the time given by this Court and the petitioner was given liberty to renew the prayer of bail.

Learned APP opposes the prayer of bail by submitting that the petitioner has committed rape with the informant and thereafter, on the pretext of marriage started developing sexual



relationship, resulting the informant became pregnant.

In the facts and circumstances stated above, considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge I, Banka in S. T. No. 826 of 2014 arising out of Mahila P. S. Case No. 38 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.

(Jitendra Mohan Sharma, J)

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