

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26932 of 2018

Arising Out of PS. Case No.-135 Year-2013 Thana- KOCH District- Gaya

=====

Laxman Yadav, Son of Late Bhondu Yadav @ Sarju Yadav Resident of
Village Khaira, P.S. Konchi, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sharma, Advocate

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

=====

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

ORAL ORDER

2 16-05-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew the prayer for bail which was earlier rejected vide order dated 10.03.2016, 26.04.2017 passed in Cri. Misc. No. 51281 of 2015 and Cri. Misc. 14447 of 2017 respectively, on the ground that the petitioner is suffering in custody since 16.04.2015. During the investigation witnesses Sitapari Devi has stated that the petitioner and co-accused opened indiscriminate firing and the co-accused has been allowed bail and, as such, the petitioner also deserves sympathetic consideration. In the post mortem report only one fire arm injury has been found though there is allegation against three accused for opening fire in causing



death. Only on the ground of criminal antecedent of the petitioner his prayer of bail has been rejected. The Trial has not been concluded within the time granted by this Court and in near future it is not likely to be concluded.

The learned A.P.P. fairly submits that trial has not been concluded as per direction of this court.

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 A.D.J.-II, Gaya, in Session Trial No. 150 of 2016, arising out of Konch P.S. Case No. 135 of 2013, 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.)

Rajiv/-

U		T	
---	--	---	--

