

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16713 of 2018

Arising Out of PS.Case No. -81 Year- 2005 Thana -PARAIYA District- GAYA

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Shankar Yadav, Son of Late Laxmi Yadav, resident of Village- English,
P.S.- Chandauti, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kiran Sinha, Advocate

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

3 02-05-2018

Heard learned counsel for the petitioner and learned

APP for the State.

This is a case registered under Sections 302/34 of the
Indian Penal Code and 27 of the Arms Act

Though the petitioner was allowed bail by order dated
18.01.2008 passed in Cr. Misc. No. 44942 of 2007 he has renewed
his prayer for bail since he has been found absconder since
01.09.2008.

It is submitted by the learned counsel for the
petitioner that the petitioner's prayer for bail on merits has been
allowed and since he was earning his livelihood, the "Pairvikar"
has left the pairvi and not informed the petitioner. Hence his bail
bond was cancelled. He is in jail custody since 26.08.2017.

A report has been called for from the trial Court



regarding the stage of trial. Report has been receipt. It is reported that the case is pending before the court of A.D.J VI, Gaya which is vacant.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **Additional District and Sessions Judge 4th, Gaya in Sessions Trial No. 22(A) of 2014/359 of 2011** subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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