

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11916 of 2018

Arising Out of PS.Case No. -119 Year- 2015 Thana -CHAND District- BHABHUA (KAIMUR)

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Akhilesh Yadav, sn of Vijayee Yadav, resident of village- Navdiha, P.S. - Chand, District- Kaimur at Bhabhua.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the State : Mr. Vinod Shankar Modi, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 11-04-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner has renewed his prayer for grant of bail in connection with Sessions Trial No.122/39 of 2017 arising out of Chand P.S. Case No.119 of 2015 registered under Sections 147, 148, 149, 323, 324, 326, 307, 504 and 506 of the Indian Penal Code. Later on, Section 302 of the Indian Penal Code and Section 27 of the Arms Act have also been added. His prayer for grant of bail was earlier rejected by this Court twice.

It is submitted by the learned counsel for the petitioner that though the petitioner is in custody since 09.03.2016, out of twelve charge-sheeted witnesses only two have been examined till date. It is further submitted that there is no likelihood of the trial



being concluded in near future.

On the other hand, learned counsel for the State submitted that on merit the prayer for bail of the petitioner has already been rejected by this Court earlier on 19.05.2016 and 12.04.2017.

In reply, learned counsel for the petitioner submitted that while rejecting the prayer for bail of the petitioner on 19.05.2016 passed in Cr. Misc. No.21541 of 2016 this Court had granted him liberty to renew his prayer for bail in case the trial is not concluded within nine months from the date of framing of charge. Since the petitioner moved prior to the expiry of nine months from the date of framing of charge on 12.04.2017, when the application for bail was renewed, this Court rejected the prayer for bail as premature.

I have heard learned counsel for the parties and perused the record including previous orders passed by this Court.

Keeping in mind inordinate delay in conclusion of trial and in view of the observations made in the order dated 19.05.2016 passed in Cr. Misc. No.21541 of 2016, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1,



Kaimur at Bhabua in connection with Session Trial No.122/39 of
2017 arising out of Chand P.S. Case No.119 of 2015.

(Ashwani Kumar Singh, J)

Md.S./-

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