

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27729 of 2019

Arising Out of PS. Case No.-7 Year-2017 Thana- BARH District- Patna

1. VIVEKA YADAV @ VIVEKA NAND KUMAR, Son of Mauli Yadav @ Chandra Mauli Yadav, Resident of Village - Tilhar, P.S. - Belchhi, District - Patna.
2. Arvind Yadav, Son of Chandeshwar Yadav, Resident of Village - Jalalpur, P.S. - Belchhi, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 17-07-2019 Heard learned counsel for the petitioners and
learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Earlier prayer for bail of the petitioners was refused vide order dated 26.04.2018 passed in Cr. Misc. No. 14702 of 2018 (Annexure-1).

Petitioners are in custody since 30.08.2017 and 12.09.2017.

Report of the learned trial Judge at flag-B reveals that charges were framed in the case on 26.10.2018. However, only one prosecution witness has been examined up-till-now.



Allegation is that the petitioners and others encircled the husband of the informant and made indiscriminate firing from their respective pistols causing injury and his death.

Considering the period of custody and chances of non-conclusion of the trial in near future, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sessions Trial No. 502 of 2018 arising out of Barh Police Station Case No. 07 of 2017, subject to the condition that the petitioners shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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