

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29261 of 2019

Arising Out of PS. Case No.-597 Year-2016 Thana- LAHERIYASARAI District- Darbhanga

BIPIN KUMAR YADAV @ BIPIN KUMAR, Son of Ram Kumar Yadav,
Resident of Village - Tengrar, P.S.- Khutauna, Dist.- Madhubani, Presently
Resident of Hazi Mustak Lodge, at Madarpur, P.S.- Laheriasarai, Dist.-
Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3/ 26-06-2019

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Laherisasarai P.S. Case No.597 of 2016 (S.T. No.441 of 2018)** instituted for the offence under Section(s) 307 and other allied sections of Indian Penal Code.

Payer of the petitioner for bail was earlier rejected by this Court by order dated 05.10.2018 passed in Cr. Misc. No.55565 of 2018 with liberty to renew prayer for bail after six months if no substantial progress is made in the trial.

Counsel for the petitioner submits that in the trial Court till date only two witnesses have been examined. Petitioner is in custody since 20.06.2018. It is also submitted



that only one injury was found on the neck of the informant. There was no repetition of blow.

In the written report, it is alleged that petitioner along with others called son of the informant in his room at Haji Mushtaque Lodge and caused injury on his neck with intention to kill him with sharp weapon. Son of the informant left the room in injured condition and wrote with his left hand the name of this petitioner on a plain paper and became unconscious. The informant took him to DMCH for treatment.

A report has been received from the Court below, wherein, it has been mentioned that two witnesses have been examined in the case till date.

Case diary has been received. Injury report of the injured is available in para 50 of the case diary. The doctor has found one sharp cut injury over neck of the injured. There was no repetition of injury on the person of injured. The doctor has found the aforesaid injury grievous.

Keeping in view period of custody and the fact that no substantial progress has been made in the trial even after observation of this court, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, 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 the **Additional Sessions Judge, VIII, Darbhanga**, in connection with **Laherisasarai P.S. Case No.597 of 2016 (S.T. No.441 of 2018)**, subject to the condition that both the bailors shall be close relative of the petitioner.

Further, (i) the petitioner will remain present on each and every date of trial, (ii) His absence on two consecutive date(s) without any reasonable cause will make his bail bond liable to be cancelled, and (iii) the petitioner will not intimidate the witnesses in any way and will not hamper the trial.

(Sanjay Priya, J)

J. Alam/-

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