

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39072 of 2019

Arising Out of PS. Case No.-130 Year-1999 Thana- DHANARUA District- Patna

SHYAM YADAV @ SHYAM DEV YADAV, Son of Musafir Yadav, Resident
of Village - Dubhara, Nandpura, P.S.- Dhanurua, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakti Suman Kumar
For the Opposite Party/s : Mrs.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 30-07-2019

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **S. T. No.611 of 2003 arising out of Dhanarua P.S. Case No.130 of 1999** instituted for the offence under Section(s) 304/34 Indian Penal Code.

Counsel for the petitioner submits that it is a case of misuse of privilege of bail. Petitioner is in custody since 15.01.2019. Charge has also been framed in the case.

It is mentioned in the impugned order that earlier petitioner was granted bail and he was released on 08.12.2001. Case was fixed for framing of Charge on 11.11.2003. The petitioner did not appear on that date and his bail bond was cancelled. Petitioner was declared absconder on 15.02.2016.

This Court feels that petitioner has sufficiently been



punished for laches committed by him.

In the facts and circumstances of the case, 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, 6th, Patna**, in connection with **S. T. No.611 of 2003 arising out of Dhanarua P.S. Case No.130 of 1999**, 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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