

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57 of 2019

Arising Out of PS. Case No.-3 Year-2006 Thana- BIHTA District- Patna

1. Laxman Yadav
2. Vinay Yadav
Both sons of Bhagya Narayan Yadav,
Both are resident of village- Maudahi, P.S. - Bihata, District Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate.

For the Opposite Party/s : Md. Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 17-01-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **Sessions Trial No. 1978 of 2008 arising out of Bihta P.S. Case No. 003 of 2006** instituted for the offence under Section(s) 341, 324, 326 and 307/34 of the Indian Penal Code.

Counsel for the petitioner submits that this is a case of misuse of privilege of bail.

From the impugned order it appears that bail bonds of the petitioner has been cancelled on 24.9.2013. Petitioner has surrendered on 14.9.2018 and he is in custody since then.

The instant case has been registered for the offence under Sections 341, 324, 326 and 307/34 of the Indian Penal



Code. He is in custody since 14.9.2018. In this manner, the petitioner has been sufficiently punished for the laches committed on his part.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner 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 learned **A.D.J.II, Danapur**, in connection with **Sessions Trial No. 1978 of 2008 arising out of Bihta P.S. Case No. 03 of 2006**, subject to the condition that both the bailors will be the close relatives of the petitioner with further conditions which are as follows:

(i) Petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court (ii) In absence on two consecutive dates without any valid reason, the bail bonds of the petitioner will liable to be cancelled and (iii) if petitioner tampers with the evidence or the witnesses of the case, in that event, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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