

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.824 of 2019

Arising Out of PS. Case No.-105 Year-2016 Thana- BIHPUR District- Bhagalpur

1. Kanhaiya Yadav
2. Manikant Yadav @ Mani Kant Mandal, both are S/O Kamali Yadav
3. Suman Yadav, S/O Subhash Yadav, All R/O Village- Salarpur, P.S. Parbatta,
Dist- Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 27-02-2019 Heard learned counsel for the petitioners and the
learned counsel appearing on behalf of the State.

The petitioners are in custody since 12.12.2017 in connection with Sessions Trial No.276 of 2018 and Sessions Trial No.199 of 2017 (arising out of Bihpur P.S. Case No.105 of 2016) registered for the offences under Sections 147, 148, 149, and 302 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioners seek to renew their prayer for bail on the ground that after the order of rejection passed by this Court on 17.07.2018, on 25.07.2018, the co-accused Bikash Kumar @ Bikash Yadav was granted bail by a Bench of this Court in Cr.Misc. No.33246 of 2018. Learned counsel for the petitioners



submits that in view of the aforementioned grant of bail order to the co-accused, which had formed the basis of the rejection order by this Court on 17.07.2018, the circumstances have now changed and the petitioners may also be extended the privilege of regular bail. He further submits that the petitioners have already been in jail for a sufficient length of time and they are already facing trial and shall also appear on all relevant dates before the court, as and when required.

Considering the aforementioned facts and circumstances and that the petitioners have given an undertaking that they will cooperate in the trial, let the petitioners above named be released on bail on their furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge, Naugachia, in connection with Sessions Trial No.276 of 2018 and Sessions Trial No.199 of 2017 (arising out of Bihpur P.S. Case No.105 of 2016).

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of



the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4)The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

Rakesh/PNM

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