

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10100 of 2020

Arising Out of PS. Case No.-249 Year-2012 Thana- BARH District- Patna

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BHIMAL YADAV @ VIMAL YADAV, Son of Late Ramjoit Yadav, Resident
of Village - Soimah, P.S.- Barh, District - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 05-06-2020 The matter has been taken up through Video
Conferencing.

Defects, if any, be removed within fifteen days of the
start of physical Court.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 149, 302 of the
Indian Penal Code and Section 27 of the Arms Act.

Petitioner is assailant of the nephew of the informant
by causing firearm injury. In the past, prayer for bail to the
petitioner was refused thrice. The last refusal was by order dated
24.04.2019 considering the fact that six prosecution witnesses
were already examined in the trial. Petitioner is in custody since



last five years.

Submission is that trial has not concluded as yet and due to on going lockdown arising out of COVID-19, there is no chance of conclusion of the trial in near future.

Considering the period already undergone by the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) 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. 166 of 2015 arising out of Barh Police Station Case No. 249 of 2012, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the learned court below.

If the petitioner would not be able in furnishing sureties due to lockdown, he shall be provisionally released on his personal bond and the provisional bail shall be confirmed



only after production of the bailors within fifteen days of
restoration of normal function of the Court.

(Birendra Kumar, J)

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