

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76733 of 2018

Arising Out of PS. Case No.-114 Year-2017 Thana- BISHWAMBHARPUR District-
Gopalganj

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Yasawant Pandey @ Mani @ Yashwant Pandey, Son of Om Prakash Pandey,
Resident of Village- Baliwan Sagar, Police Station- Bishambharpur, District-
Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Lokesh Kumar Singh, Advocate
For the State	:	Mr. Akshay Lal Pandit, APP
For the Informant	:	Mr. Nagendra Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 08-09-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard Mr. Yogesh Chandra Verma, learned Senior Counsel appearing for the petitioner and the learned APP for the State as well as the learned counsel for the informant.

The petitioner seeks bail in connection with Sessions Trial No.229 of 2018 arising out of Bishambharpur P.S. Case



No.114 of 2017 registered for the offence punishable under Sections 304B, 201/34 of the Indian Penal Code.

This is the second attempt of the petitioner for grant of bail. When he had earlier approached this Court in Cr.Misc. No.24922 of 2018, his prayer was rejected for the present on 24.05.2018.

Mr. Yogesh Chandra Verma, learned Senior Counsel representing the petitioner submits that till date evidence of the witnesses has not been concluded. This fact is not disputed by the learned counsel for the informant though he submits that only few remain to be examined.

Learned APP for the State has opposed the prayer for bail.

Considering the submission of the learned Senior Counsel for the petitioner that there is no likelihood of the remaining witnesses to be examined in view of the prevalent COVID-19 Pandemic situation and that the petitioner now has been in custody for about three years, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner 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 learned



1st Additional Sessions Judge, Gopalganj, in connection with
Sessions Trial No.229 of 2018 arising out of Bishambharpur P.S.
Case No.114 of 2017, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

The petitioner would be under the legal obligation to appear in the proceedings on day to day basis so as to facilitate conclusion of the trial expeditiously.

(Madhuresh Prasad, J)

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