

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12132 of 2021**

Arising Out of PS. Case No.-63 Year-2019 Thana- BELHAR District- Banka

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DASRATH YADAV S/o Lakhan Yadav R/o Village- Badala, P.S.- Belhar,
District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajiv Kumar

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

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 08-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Belhar P.S. Case No. 63 of
2019, registered for the offence punishable under Sections 386,
387, 504/34 and 506 of the Indian Penal Code.

Earlier the bail application of petitioner was rejected
vide order dated 20.09.2019. Vide order dated 28.07.2021,
report was called for regarding the stage of trial and same has
been received (kept at flag 'X'), which reveals that charge has
already been framed on 02.01.2020. Till date no witness has
turned up for deposition. Petitioner is in custody since
15.03.2019.

Considering the period of custody and no progress in



trial, the petitioner above-named, is directed to be enlarged 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 Additional Chief Judicial Magistrate III, Banka in connection with Belhar P.S. Case No. 63 of 2019, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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