

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26856 of 2021

Arising Out of PS. Case No.-236 Year-2019 Thana- HASANPUR District- Samastipur

JAWAHAR YADAV aged about 46 years S/o Kedarnath Yadav R/o village-
Paroria, P.S.- Hasanpur, District- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-08-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 363/366A of the Indian Penal Code.

Earlier prayer for bail of this petitioner was refused by this Court vide order dated 7.12.2020 as contained in Annexure P/1 to the bail petition.

Learned counsel for the petitioner submits that during trial out of 8 witnesses, 4 of them have already been examined including the informant in which three of them have been declared hostile. In support of this fact, learned counsel has annexed depositions contained in Annexures 5 and 6. Petitioner has got clean antecedent and he is in custody since 20.3.2020.

Considering the depositions of the witnesses and the



period of custody of the petitioner, let the petitioner, mentioned above, 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 Additional Sessions Judge I, Rosera, Samastipur in Sessions Trial No. 152 of 2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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