

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18637 of 2020

Arising Out of PS. Case No.-88 Year-2019 Thana- DHAMDAHA District- Purnia

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Jitendra Yadav @ Chhotu Yadav @ Nirmal Kumar Yadav, aged about 23 years, male, Son of Late Rajendra Yadav, Resident of Village - Bela Rikabganj, P.S. - K. Nagar, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Adv.

For the Opposite Party/s : Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 29-01-2021 Heard Bijendra Kumar Singh, learned counsel for the petitioner and Md. Aslam Ansari, learned APP for the State.

The petitioner seeks bail in connection with Dhamdaha P.S. Case No. 88 of 2019, dated 26.03.2019, instituted for the offences under Sections 363, 120(B) and 34 of the Indian Penal Code.

The prayer for bail of the petitioner was earlier



rejected *vide* order dated 20.11.2019 passed in Cr. Misc. No. 58381 of 2019.

The petitioner is in custody since 29.03.2019 and till date, there is no progress in the trial.

Considering the period of custody of the petitioner and taking into account that the trial has not progressed substantially, this Court is inclined to grant bail to him. While saying so, this Court has also taken note of the accusation in the F.I.R., the reasons given for rejecting the bail application of the petitioner and the statement under Section 164 Cr.P.C. of the victim girl.

Let the petitioner, above-named, be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Dhamdaha P.S. Case No. 88 of 2019, subject to the condition that one of the bailors shall be the mother of the petitioner.

It is made clear that the petitioner shall participate in the trial and in case he absents himself from the trial



proceedings on two consecutive occasions without seeking permission from the Trial Court, the Court below shall proceed for cancellation of his bail accordingly.

The application stands allowed with the aforesaid observation.

(Ashutosh Kumar, J)

Praveen-II/-

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