

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39499 of 2021

Arising Out of PS. Case No.-414 Year-2013 Thana- SIKARPUR District- West Champaran

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KHOBHARI YADAV @ SOMARI YADAV S/O LATE SHANKAR YADAV
R/O VILLAGE-GURWALIA, P.S-MANUAPOL, DISTRICT-WEST
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bashishtha Narayan Mishra, Adv.
Mr. Sachida Nand Rai, Adv.
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-08-2021 Heard Mr. Bashishtha Narayan Mishra, learned
counsel for the petitioner and Mr. Vinod Shanker Modi, learned
Additional Public Prosecutor for the State through video
conferencing.

Petitioner renews his prayer for bail in connection
with Shikarpur PS Case No. 414/2013 registered for the offence
punishable under Sections 379, 411, 120(B)/34 of the IPC
inasmuch as earlier bail application of the petitioner was
rejected *vide* order dated 12.03.2021 passed in Cr. Misc No.
2571/2021 (Annexure-1) with liberty to renew his prayer for
bail after three months.

The allegation, as per First Information Report, is that
some of the accused persons were removing transformer



installed near the bank of river of the village and upon alarm raised by the villagers, the accused persons started fleeing away but one of them was apprehended who disclosed his name as Prem Bhagat and upon inquiry, the apprehended accused person disclosed the name of the petitioner and others.

Learned counsel for the petitioner submits that petitioner is in custody since 10.07.2020 and the trial is not likely to be concluded in near future due to pandemic of Covid-19 and this Court while rejecting the earlier bail application had given liberty to the petitioner to renew his prayer for bail after three months.

Learned counsel next submits that charge-sheet has already been submitted in the matter and there is no likelihood that the petitioner will abscond or will tamper with the evidences, if he is released on bail.

Regard being had to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 10.07.2020, trial is not likely to be concluded in near future due to existing pandemic of COVID-19, there is no likelihood that the petitioner will abscond or will tamper with the evidences, if he is released on bail, and this is the second attempt of bail on behalf of



petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, KHOBHARI YADAV @ SOMARI YADAV be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate-Bettiah, West Champaran in connection with Shikarpur PS Case No. 414/2013.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the covid protocol like social/physical distancing and sporting masks.

(Anil Kumar Sinha, J)

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