

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37051 of 2020**

Arising Out of PS. Case No.-2 Year-2016 Thana- RAUTARA District- Katihar

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Anil Yadav, Male, aged about 50 years, son of late Suddin Yadav, Resident of
Village- Binodpur Colony, P.S.- Rautara, District- Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Mishra

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

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

3. 24-03-2021 Heard learned counsel for the parties.

Earlier, the bail application of petitioner was rejected, vide order dated 18.09.2019 passed in Cr.Misc. No. 30033 of 2019, with direction to conclude the trial within a period of nine months from the date of order, since out of 15 chargesheeted witnesses, 14 witnesses were already examined and only doctor was to be examined.

On last date i.e. on 10.02.2021, a report, with regard to stage of the trial, was called for from the court below, which has been received and kept at flag 'P'. The report reveals that no progress has been made and trial is pending for evidence of Doctor and other witnesses. Petitioner is languishing in jail since 01.03.2016.

Considering the period of custody and the fact that no



progress has been made in trial after lapse of one & half years, the bail application of petitioner is allowed. Let the above named 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 learned Addl. Sessions Judge – III, Katihar in connection with Sessions Trial No. 95 of 2017, arising out of Rautara P.S. Case No. 02 of 2016, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his 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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