

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 39548 of 2020**

Arising Out of PS. Case No.-319 Year-2017 Thana- FALKA District- Katihar

SUMAN YADAV S/o Late Yogendra Yadav R/o Village- Rangakol, P.S.-
Falka, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : M/s Viveka Nand Singh, Hira Jha, Advocates
For the Opposite Party/s : Mr Akshay Lal Pandit, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 **04-03-2021** Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Falka Police Station (for
brevity, *PS*) Case No 319 of 2017 instituted for the offence
punishable under Sections 387, 307/34 of Indian Penal Code
and Section 27 of Arms Act.

Between the framing of charges recorded in the order
of last rejection dated 06.11.2019 in Cr Misc No 69906 of 2019;
and 23.02.2021, as per report received from the Court below,
this Court finds that there is no considerable progress at the trial
as still the case is fixed for prosecution witnesses and summons
have been issued to charge sheet witnesses. The petitioner
continues to be in custody since 28.12.2017. It is further



submitted that the petitioner has falsely been implicated in this case.

Learned APP has opposed the prayer for bail.

Considering the long period of custody of the petitioner and the fact that in spite of rejection of his prayer for bail by this Court thrice earlier, this Court is inclined to allow the prayer for bail. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge VII, Katihar in Sessions Trial No 92 of 2019 arising out of Falka PS Case No 319 of 2017 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today



for depositing requisite Court fee and removing the defect (s), as
pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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