

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13775 of 2022

Arising Out of PS. Case No.-184 Year-2019 Thana- GWALPARA District- Madhepura

Akku Kumar @ Akash Kumar Son of Jagarnath Yadav @ Jagarnath Prasad
Yadav Resident of Village - Gwalpara, P.S.- Gwalpara, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Singh
For the Opposite Party/s : Mr. Atul Chandra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Gwalpara
P.S. Case No.184 of 2019, registered for the offences punishable
under Sections 302, 120B, 34 of the Indian Penal Code and
Section 27 of the Arms Act.

The prayer for bail of the petitioner was earlier
rejected vide detailed order dated 26.07.2021, passed in Cr.
Misc. No.40344 of 2020 with direction to the Trial Court to
conclude the trial within six months on priority basis after
resuming physical court.

Vide order dated 30.03.2022, a report regarding stage
of trial had been called for in the present case.

Perused the report at 'Flag-A'.



The learned Additional Sessions Judge-VII, Madhepura reported that charge has already been framed in this case on 15.03.2021, but no witness has been examined till date.

Learned counsel for the petitioner submits that there is general and omnibus allegation against the petitioner. The informant is not an eye witness of the occurrence and similarly situated other co-accused persons have already been granted bail by different co-ordinate Benches of this Court vide Annexure-P/3 series. It is further submitted that the petitioner is in custody since 20.11.2019.

Taking into consideration the period of custody and the fact that similarly situated other co-accused persons have been granted bail by different co-ordinate Benches of this Court, let petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-VIII, Madhepura in connection with Gwalpara P.S. Case No.184 of 2019, giving rise to Sessions Trial No.67/2020, subject to the following conditions:-

(1) 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. He will also undertake to inform the court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates, his bail bonds shall be liable to be cancelled.

(3) That the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(4) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J.)

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