

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26666 of 2022

Arising Out of PS. Case No.-912 Year-2019 Thana- SAHARSA SADAR District- Saharsa

SUBHASH YADAV @ SUBHASH KUMAR Son of Madan Yadav Resident
of Village - Simraha, Ward No.35, P.s.- Saharsa Sadar, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 03-08-2022

Heard learned counsel for the parties.

The petitioner has renewed his prayer for grant of regular bail in a case registered under sections 363 and 366 of the Indian Penal Code.

The allegation against the petitioner is of demand of dowry. It is further alleged that the daughter of the informant was made to disappear by the accused persons.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 14.9.2021 (Annexure-1). It is submitted that the daughter of the informant was mentally unstable and was being treated by a doctor. Ever since being taken by her brother in the year 2013 for which an informatory petition was also filed by the mother of the petitioner, she has been living in her *naihar* with her parents. The petitioner is in custody since 14.8.2020 and has no criminal antecedent. Charge has been framed in the learned trial court and he



undertakes to cooperate in trial.

Heard learned APP for the State.

A report was called for from the learned trial court. As per the report received contained in letter dated 16.7.2022 of the learned Addl. Sessions Judge IV, Saharsa, charge has been framed in the learned court below on 9.3.2021, however, no witness has been examined till date and bailable warrants have been issued against the witnesses on 12.7.2022.

Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner, the petitioner being in custody since 14.8.2020, charge having been framed in the learned court below and no witness having been examined on behalf of the prosecution inspite of charge having been framed more than 1 year 4 months ago, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no. 60 of 2021 (arising out of Saharsa Sadar P.S. Case no. 912 of 2019) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge IV, Saharsa.

(Partha Sarthy, J)

Spd/-

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