

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29337 of 2022

Arising Out of PS. Case No.-284 Year-2018 Thana- ATRI District- Gaya

Vijay Yadav, Son of Ratan Yadav, Resident of Village-Kasiyadih, P.S.-Atri,
Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. N.K. Agrawal, Sr. Advocate Mr.Sudhir Kumar Sinha, Advocate
For the Opposite Party/s :		Ms.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 12-10-2022 Heard Mr. N.K. Agrawal, learned Senior Counsel for
the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with S. Tr.
No.113/2019-84/22 arising out of Atri P.S. Case No.284 of 2018
registered for the offence punishable under Sections 304B, 34 of
the Indian Penal Code.

The petitioner has now remained in custody for nearly
four years, since 07.12.2018.

The accusation is of killing the informant's daughter
four years after marriage for non-fulfilment of dowry.

The petitioner's prayer for bail was rejected twice
earlier, once in Cr.Misc. No.34265 of 2019 on 20.11.2019 with
liberty to renew the prayer if the trial is not concluded within



one year. On the second occasion, his prayer was rejected in Cr.Misc. No.4512 of 2021 on 26.07.2021 giving liberty to renew his prayer after three months. In both the orders of rejection, there was specific direction for expediting the trial.

It is submitted by the learned Senior Counsel that inspite of two directions of this Court, five witnesses still remain to be examined as per report of the Additional District & Sessions Judge No.III, Gaya dated 03rd August, 2022.

This fact viewed with the fact of petitioner's custody for nearly four years in the background, this Court is inclined to to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Accordingly, let the petitioner, above named, 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 the learned Additional Sessions Judge-III, Gaya, in connection with S. Tr. No.113/2019-84/22 arising out of Atri P.S. Case No.284 of 2018, 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.

This Court would expect that the petitioner’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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