

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30630 of 2022

Arising Out of PS. Case No.-2 Year-2018 Thana- LUTUA District- Gaya

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Dhanik Lal Mandal @ Bhutali Ji @ Bhutali Yadav Son Of Ramdev Yadav @
Ramdeo Yadav R/O Village- Lutua, Tola- Baburamdih, P.S.- Lutua, District-
Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashutosh Nath, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-08-2022 Heard learned counsel for the petitioner and the State.

Four weeks' time is granted to the counsel for the
petitioner to remove the defect(s) as pointed out by the office.

The petitioner seeks bail in a case registered under
Sections-147, 148, 149, 353, 307, 120(B), 121, 121(A), 122 and
124(A) of the Indian Penal Code, Sections-3, 4 & 5 of the
Explosive Substances Act, Sections-13, 16, 18 & 20 of the
U.A.P.A. Act.

The first application for bail of the petitioner was
rejected vide order dated 02-07-2019 passed in Cr. Misc. No.
17707 of 2019 with a direction to conclude the trial preferably,
within a period of nine months. The second application for bail
of the petitioner was rejected vide order dated 10-12-2020



passed in Cr. Misc. No. 22633 of 2020 with a direction to conclude the trial preferably, within a period of six months and the third bail application of the petitioner was rejected by order dated 05-01-2022 passed in Cr. Misc. No. 55824 of 2021 with direction to conclude the trial within a period of four months.

This is the fourth attempt for regular bail.

A report was called for from the trial court.

It has been reported that out of five prosecution witnesses, two prosecution witnesses have been examined. The remaining three prosecution witnesses are yet to be examined and the trial is likely to be concluded within a period of six months.

It appears that in spite of repeated directions of this court, the trial has not progressed. There is no likelihood of the trial being concluded in near future. The petitioner is in custody since 18-01-2019.

Considering the aforesaid facts and circumstances, the petitioner, named above is directed to 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 A.D.J.-Ist, Gaya in connection with Sessions Trial No. 352 of 2019/477 of 2020 arising out of Lutua P.S. Case No. 02 of 2018.



It is made clear that the petitioner will cooperate in trial and in case, the petitioner does not cooperate during trial, the court below will be at liberty to cancel the bail bond of the petitioner.

(Sudhir Singh, J)

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