

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44462 of 2021

Arising Out of PS. Case No.-207 Year-2020 Thana- RANIGANJ District- Araria

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GURUDEO YADAV @ GURUDEO KUMAR YADAV S/o UPENDRA
YADAV R/o VILLAGE-KALA BALUWA, P.S- RANIGANJ, DISTRICT-
ARARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Adv.

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 22-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 302, 201,
120B, 379 and 34 of the Indian Penal Code.

As per the prosecution case, the informant states
that his brother was called by the petitioner for mortgaging his
maize crops and thereafter his brother did not return.
Subsequently the dead body of the informant's brother was
found lying in the maize field of one Chunni Lal Sah and in
course of investigation the towel of the petitioner was found
near the dead body.

It is submitted by learned counsel for the petitioner
that the earlier application for bail of the petitioner was rejected



vide order dated 11.1.2021 passed in Cr. Misc. no.31482 of 2020. Admittedly there is no eye witness to the occurrence and the dead body was found in the maize field of one Chunni Lal Sah. The petitioner is not the owner of the towel found near the dead body. It is lastly submitted that there is no chance of the trial concluding in the near future.

A report was called for from the learned trial Court. As per the report contained in letter dated 4.2.2022 the case is at the stage of appearance and no witness have been examined on behalf of the prosecution.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner having remained in custody for 1 year 10 months together with there being no chance of the trial concluding in near future, the Court directs the petitioner to be enlarged on bail in connection with Raniganj P.S. Case no. 207 of 2020 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 A.C.J.M. VI, Araria on the following conditions:

1. The petitioner shall be properly represented on each



date of the trial in the learned trial Court.

2. The petitioner shall cooperate in the trial.

3. In case the learned trial Court is of the opinion that the trial is being delayed due to noncooperation on part of the petitioner the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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