

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47412 of 2022

Arising Out of PS. Case No.-73 Year-2020 Thana- NOWKOTHI GARHPURA District-
Begusarai

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INDAL KUMAR @ INDAL YADAV @ INDAL KUMAR YADAV S/o-
Ramanand yadav @ Ramu Yadav Resident of Village- Ratan, P.S.- Bakhari,
District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar No.1, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-12-2022 Heard Mr. Rakesh Kumar No. 1, learned
Advocate for the petitioner and Mr. Ganesh Prasad Singh
for the State.

The petitioner seeks bail in connection with
Naokothi P.S. Case No. 73 of 2020 dated 30.05.2020
instituted for the offences under Sections 302, 307,
120(B) and 34 of the Indian Penal Code and Section 27
of the Arms Act.

The petitioner, though only a member of the
mob, is not attributed with any positive role.

He is in custody since 20.10.2020.

The learned counsel for the petitioner has
submitted that after the framing of the charge, not a
single witness has been examined up till now and



therefore the trial is not likely to be concluded in near future. The petitioner though has been made accused in seven cases in the past but in six of them, he is on bail.

Considering the period of custody of the petitioner, no specific role having been assigned in this case on him and that no witness has been examined up till now, notwithstanding the fact that the period of custody is from 20.10.2020 in this case, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge II, Begusarai in connection with Sessions Trial No. 443 of 2021 arising out of Naokothi P.S. Case No. 73 of 2020.

However, it is cautioned that if the petitioner does not participate in the trial or makes any attempt to intimidate the witnesses or tamper with the evidence, it would be open for the informant/prosecution or the I.O. to initiate proceedings for cancellation of bail granted to him.

(Ashutosh Kumar, J)

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