

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59581 of 2021

Arising Out of PS. Case No.-18 Year-2019 Thana- JHAJHA District- Jamui

Mamta Yadav @ Mano Yadav, Son Of Gurudayal Yadav Resident Of Village -
Magahi, P.S.- Luxmipur, Distt.- Jamui.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Sinha
For the State	:	Mr. Sanjay Kumar Pandey
For the Informant	:	Mr. Shailesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 149, 302, 427,
120B of the Indian Penal Code, Section 27 of the Arms Act and
Section 3/4 of the Explosive Substances Act.

The learned counsel for the petitioner submits that this
is the second attempt of the petitioner to seek bail. Earlier the
bail was rejected by order dated 15.12.2020 in Cr. Misc.
No.60007 of 2019 with an observation that the bail is being
rejected for the present with a direction to the learned Court
below to conclude the trial within a period of eight months. The
learned counsel submits that the period of eight months expired



in August, 2021, thereafter again the petitioner preferred a bail application before the learned Court below, the same came to be rejected by order dated 01.09.2021 with an observation that the case would now be concluded within a period of eight months from today that is May, 2022.

The learned counsel submits that altogether 12 charge-sheeted witnesses are there and presently, only one witness has been examined and the second witness was examined on 22.09.2021 and thereafter, not a single witness has been examined. The learned counsel submits that ultimately the trial has to conclude and the learned Court below will come to a conclusion whether the petitioner is guilty of the offence or is innocent. In the event if it is found that the petitioner is innocent, how his period of incarceration would be compensated when the petitioner is in custody since 08.04.2019.

The learned counsel for the informant as well as learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent and charge-sheet has been submitted in this case, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 50,000/- (Rupees Fifty Thousand) with two sureties of the



like amount each to the satisfaction of learned Court below where the case is pending in connection with Sessions Trial No.159 of 2019 arising out of Jhajha P. S. Case No.18 of 2019, subject to condition that one of the bailors shall be the father of the petitioner namely, Gurudayal Yadav.

However, if the leaned Court below comes to a conclusion that the petitioner after his release is trying to delay the trial in any manner, the learned Court below shall forthwith cancel his bail bonds after recording reasons.

The application stands allowed.

(Satyavrat Verma, J)

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