

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51473 of 2022

Arising Out of PS. Case No.-54 Year-2021 Thana- SALIMPUR District- Patna

ANIL YADAV @ ANIL KUMAR SON OF BALDEV YADAV @ BALDEV
SINGH R/O VILLAGE- DIH MANJHAULI, P.S.- SALIMPUR, DISTRICT-
PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kuber Pathak, Adv.

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 09-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has renewed his prayer for grant of
bail in a case registered under section 302 and other sections of
the Indian Penal Code.

The earlier application for bail of the petitioner was
rejected vide order dated 21.2.2022 passed in Cr. Misc.
no.49393 of 2021.

As per the prosecution case, the accused persons are
said to have assaulted the father of the informant. It is further
stated that the petitioner and Shiv Kumar Yadav assaulted the
informant's father on his chest.

It is submitted by learned counsel for the petitioner
that the case of the petitioner stands on a similar footing to that
of co-accused Shiv Kumar Yadav who has been enlarged on bail



vide order dated 9.2.2022 passed in Cr. Misc. no.47722 of 2021. It is further submitted that only three witnesses have been examined on behalf of the prosecution and there is no chance of the trial concluding in the near future. The petitioner is in custody since 24.3.2021 and undertakes to cooperate in the trial.

A report was called for from the learned trial court. As per the report received, three witnesses have been examined on behalf of the prosecution and for the remaining prosecution witnesses bailable warrant have been issued.

Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner, grant of bail to co-accused Shiv Kumar Yadav together with the petitioner having remained in custody for about 1 year 7 months, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.439 of 2021 (arising out of Salimpur P.S. Case no.54 of 2021) 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 Additional District and Sessions Judge V, Barh, District Patna.

(Partha Sarthy, J)

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