

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51918 of 2022

Arising Out of PS. Case No.-236 Year-2012 Thana- RAJAOLI District- Nawada

Sunil Yadav Son of Mahendra Yadav R/V- Mohanpur, P.S- Rajauli, Dist-
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Pratap Singh, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 09-12-2022 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Heard Mr. Tej Pratap Singh, learned counsel
appearing on behalf of the petitioner and Mr. Umeshanand
Pandit, learned APP for the State through video conferencing.

The petitioner seeks regular bail, who is in custody in
connection with Session Trial No. 164 of 2014 arising out of
Rajouli P.S. Case No. 236 of 2012 registered for the offences
punishable under Sections 341, 323, 379, 307, 504 of the Indian
Penal Code.

At the outset, learned counsel for the petitioner
submitted that earlier the petitioner was already granted bail by
the learned Chief Judicial Magistrate, Nawada vide order dated



26.11.2012, itself and on being granted bail, he always remained present and the proper *pairvi* was made, however, on account of absence in two consecutive dates on 07.06.2017 and 31.07.2017, the petitioner has been declared absconder and later on vide order dated 29.03.2019, the bail bond of the petitioner was cancelled. He further submits that on account of nationwide pandemic, due to covid-19, he was not in a position to ensure proper *pairvi* and due to which his bail bond stood cancelled. He next submits that now the petitioner is in judicial custody since 22.07.2022 and he is giving undertaking that he will fully co-operate in the trial, till its conclusion.

On the other hand, learned APP for the State opposes the bail application.

Regard being had to the submissions made on behalf of the petitioner, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-X, Nawada in connection with Sessions Trial No. 164 of 2014 arising out of Rajouli P.S. Case No. 236 of 2012, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-



(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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