

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65262 of 2021

Arising Out of PS. Case No.-6 Year-2018 Thana- MAHILA P.S District- West Champaran

JALANDHAR YADAV Son of Gorakh Yadav Resident of Village-
Narainapur Chiran Tola, Ward No. 4, P.S.- Bagaha (Palkhauli), District- West
Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 341 and 354 of the Indian Penal Code and section 8 of the POCSO Act.

It is submitted by learned counsel for the petitioner that in the above case the petitioner was enlarged on bail vide order dated 6.9.2018 passed in Cr. Misc. no. 44894 of 2018. Subsequent thereto he was released from custody and continued to cooperate in the case. However, during the period of lock down as a result of COVID-19 pandemic, as a result of lack of proper parvi in the learned trial Court, by order dated 15.12.2020 the bail bond of the petitioner was canceled and he was subsequently taken into custody on 9.9.2021. The petitioner undertakes to be more vigilant and to cooperate in the case in the learned trial Court.



Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner having been enlarged on bail on merits of the case, this being a case of misuse of privilege of bail for which the petitioner has remained in custody for 7 months since 9.9.2021, the Court directs the petitioner to be enlarged on bail in connection with Mahila (Bagaha) P.S. Case no. 6 of 2018 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VII-cum-Special Judge, POCSO, West Champaran at Bettiah.

It is further directed that the petitioner shall remain properly represented on each date in the learned trial Court and shall cooperate in the trial. In case the learned Trial Court is of the opinion that the trial is being delayed due to non-cooperation 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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