

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71116 of 2021**

Arising Out of PS. Case No.-452 Year-2019 Thana- BARHARIA District- Siwan

GOVIND YADAV @ GOVINDA YADAV Son of Manish Yadav @ Manshi
Yadav Resident of Village- Babhanbara, Police Station- Barharia, Daraunda,
District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Nath Rai, Adv.

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 09-02-2022 Heard Mr. Prabhakar Nath Rai, learned counsel for

the petitioner and Mr. Akhileshwar Dayal, learned APP for the

State *via* video conferencing.

Petitioner has renewed his prayer for bail inasmuch as
earlier bail application of the petitioner was rejected by this
Court on 04.11.2021 in Cr. Misc. No. 23080/2020 giving him
liberty to renew his prayer for bail after one year if the trial
does not show any progress.

The petitioner is brother of the deceased and upon call
of the petitioner, the deceased accompanied him and on the next
day, his dead body was found.

Learned counsel for the petitioner submits that
petitioner has been implicated in this case by her sister-in-law



on the basis of suspicion only and except the confessional statement of the petitioner recorded by the police, no other material is there against him. He further submits that the trial has not registered any progress and charges have been framed against the petitioner on 19.12.2020 and since then no witness has been examined.

This Court *vide* its order dated 05.01.2022 had called for a report regarding stage of trial from the court of Chief Judicial Magistrate, Siwan and in pursuance thereof, the report has been received from the said court stating therein that after framing of charge no witness has been produced as yet and the case is fixed at the stage of prosecution evidence.

The petitioner is in custody for about more than two years i.e., since 27.12.2019.

Regards being had to the submissions made by the parties and taking into consideration the fact that from the date of last rejection of bail, the trial has not registered any progress, no witness has been produced after framing of charge and the period of custody of the petitioner is for about more than 2 years i.e., since 27.12.2019, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, namely, GOVIND



YADAV @ GOVINDA YADAV be released on bail on
furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two
sureties of the like amount each to the satisfaction of Chief
Judicial Magistrate, Siwan in connection with Barharia PS Case
No. 452/2019.

(Anil Kumar Sinha, J)

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