

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1621 of 2022**

Arising Out of PS. Case No.-151 Year-2018 Thana- PARASBIGHA District- Jehanabad

RAKESH YADAV @ RAKESH KUMAR S/o Late Ramanand Yadav R/o
village- Malichak, P.S.- Paras Bigha, District- Jehanabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 24-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Paras Bigha P.S. Case No. 151 of 2018/ S. Tr. No. 188 of 2019 registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

The present bail application has been filed in terms of the liberty granted to the petitioner to renew his prayer for bail by order dated 07.04.2021 in Cr. Misc. No. 6790 of 2021.

The learned counsel for the petitioner submits that by order dated 07.04.2021 the learned court below was directed to



conclude the trial within six months as by then out of nine witnesses, three witnesses were examined. It is next submitted that till date not a single witness has been examined i.e. till date only three witnesses have been examined and still six witnesses remained to be examined.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 04.09.2018 and in terms of the liberty granted to the petitioner by order dated 07.04.2021 in Cr. Misc. No. 6790 of 2021, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Paras Bigha P.S. Case No. 151 of 2018/ S. Tr. No. 188 of 2019.

However, the petitioner shall be released only if till today only three witnesses have been examined. If any witness has been examined apart from the three witness who were examined earlier then the petitioner shall not be released on bail.

Further if the learned court below comes to a conclusion that petitioner after his release is trying to delay the



trial of the case in any manner, the court below shall forthwith
cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

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