

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6949 of 2023

Arising Out of PS. Case No.-462 Year-2020 Thana- DARBHANGA SADAR District-
Darbhanga

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Chandrashekhar Yadav @ Chandra Shekhar Yadav Son of Jai Narayan Yadav
@ Jaynarayan Singh @ Jay Narayan Singh R/v- Mishroulia, P.S.- Darbhanga
Sadar, District- Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rohit Kumar, Advocate Mr. Manish Kumar No. 13, Advocate Ms. Priti Kumari, Advocate
For the Opposite Party/s	:	Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-03-2023 Heard learned counsel for the petitioner and Shri
Ganesh Prasad Singh, learned A.P.P. for the State.

This is the second attempt of the petitioner to seek
bail as earlier his bail application was rejected *vide* order dated
22.02.2022 in Cr. Misc. No. 42845 of 2021.

Learned counsel for the petitioner submits that the
bail application of the petitioner was rejected solely on the
ground that he is the husband of the deceased, when the
deceased had committed suicide. It is further submitted that
petitioner is in custody since 10.10.2020 and till date the trial
has not progressed and accordingly by order dated 01.02.2023, a
report was called for from the learned trial court.



It is next submitted that the report of the learned trial court is on record and from perusal of the same it manifests that charges were framed on 20.02.2021, altogether five witnesses are there to be examined out of whom only one witness has been examined and bailable warrant of arrest has already been issued against non-official charge-sheet witnesses, further a letter to the SSP, Darbhanga for procuring their attendance has also been issued but the prosecution has failed to examine any of them till date. It is further submitted that the report also records that during the course of trial the jail authorities have prayed for treatment of accused/petitioner in DMCH, Darbhanga with regard to his mental disease

It appears that the witnesses are not coming forward despite issuance of bailable warrant of arrest and the petitioner is also suffering as it has come in the report of the learned Xth Additional Sessions Judge, Darbhanga contained in Letter No. 140/2023 dated 06.02.2023.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above named is directed to be released on bail 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 court below where the case is pending/successor court in connection with Sadar P.S. Case No. 462 of 2020, Sessions Trial No. 24 of 2021.

(Satyavrat Verma, J)

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