

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14396 of 2023

Arising Out of PS. Case No.-117 Year-2009 Thana- SONEPUR District- Saran

Yogendra Sahani Son Of Ram Balak Sahni R/O Vill.- Mina Bazar, P.S.-
Sonepur, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 21-06-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sonepur P.S. Case No. 117 of 2009 lodged under Sections 341,
323, 326, 307, 427, 379, 34 of the I.P.C.

Learned counsel for the petitioner submits that
petitioner has moved for regular bail earlier before this Hon'ble
Court and his bail application has been rejected vide order dated
13.09.2022 passed in Cr. Misc. No. 27376 of 2022.

Counsel for petitioner submits that it was observed
that the trial Court shall conclude the trial of the petitioner
within 3 months from the date of communication of the order.
Progress report has been called for and as per the progress

report, the case is fixed for production of evidence of prosecution witnesses. It has been mentioned that for the purpose of calling the witnesses, summons, BWs and NBWs have already been issued against the witnesses and court has thereafter sent a letter to Superintendent of Police, Saran to produce the witnesses. Altogether, there are 9 witnesses and out of which two witnesses have already been produced before the trial Court who have supported the prosecution version.

Learned counsel for the State submits that trial shall be acquired very soon.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-VII, Saran at Chapra in connection with Sessions Trial No. 590 of 2011 (arising out of Sonapur P.S. Case No. 117 of 2009), subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates

without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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