

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15599 of 2022

Arising Out of PS. Case No.-100 Year-2019 Thana- MURLIGANJ District- Madhepura

JITENDRA YADAV S/o Panuk Yadav Resident of Village- Beside
Banmankhi, Bus Stand, P.S.- Banmankhi, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Wasi Ahmad Khan, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 11-01-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Session
Trial No. 269 of 2019 arising out of Murliganj P.S. Case No.
100 of 2019 registered for the offence under Section 364 of the
Indian Penal Code.

The accused/petitioner is named in the F.I.R. and he is
in custody since 24.03.2019.

The allegation against the petitioner is that he has
kidnapped the brother of the informant alongwith other co-
accused persons.

Learned counsel appearing on behalf of the petitioner

submitted that the present bail petition is the second bail petition of accused petitioner as his prayer for bail on earlier occasion was refused to accept by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 56132 of 2019 vide order dated 18.12.2019. It is submitted that petitioner is in custody since 24.03.2019, almost about four years, having almost no progress in the trial, as only one witness had been examined in present case, till date. It is further submitted that petitioner cannot be kept behind the bar for any indefinite period of time, in want of trial, particularly in such circumstances when trial is not likely to conclude in near future.

While opposing the prayer for bail, learned Additional Public Prosecutor for the State submitted that the prayer for bail of petitioner has already rejected by one of the learned Co-ordinate Bench of this Court after considering the merit.

Considering the facts and circumstances, as mentioned above, as only one witness was examined during last four years which is sufficient to suggest that the trial is not likely to conclude in near future, let 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 learned Additional Sessions

Judge-4, Madhepura/concerned court in connection with
Session Trial No. 269 of 2019 arising out of Murliganj P.S. Case
No. 100 of 2019, subject to the conditions as mentioned under
Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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