

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33443 of 2023

Arising out of PS. Case No.-98 Year-2021 Thana- PIPRA District- Supaul

Manoj Yadav @ Bambam Yadav Son of Vikram Yadav Resident of Village -
Bhura, Ward No.- 09, P.S.- Triveniganj, District - Suapul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary, Adv.

For the Opposite Party/s: Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL ORDER

3 19-07-2023 The petitioner is seeking bail in connection with Pipra
P.S Case No. 98 of 2021/G.R. No. 637 of 2021 (S.T. No. 159 of
2022). He has been charge-sheeted for the offences under Sec-
tions 302 and 201 of the Indian Penal Code.

2. Having regard to the antecedents noticed on
16.12.2022 in Cr. Misc. No. 48290, the petitioner was refused
bail. During the intervening period from 16.12.2022 to this day
it is submitted that out of six witnesses three witnesses have
been examined and petitioner is in custody since 17.01.2022.
Therefore, petitioner is entitle to be released on bail.

3. *Per contra*, learned counsel for the respondent-
State resisted the contention and submitted that petitioner is not
entitled to grant of bail on the score that he is habitual offender
and involved in more than nineteen cases. No other contention



has been urged on behalf of the State.

4. Heard learned counsel for the respective parties.

5. Taking note of dates and events, examination of witnesses would take time and having regard to the fact that petitioner is in custody since 17.01.2022 and merely the petitioner is involved in nineteen cases that does not come in the way of examining whether petitioner is entitled to bail or not in the present case

6. In view of fact that from 17.01.2022 to this day, the petitioner is in custody and the fact that three witnesses have been examined out of six witnesses, the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000 (Twenty Five Thousand) with two sureties to the like amount each to the satisfaction of learned Additional District and Sessions Judge-1st-cum Special Judge, Supaul in S.T. No. 159 of 2022 arising out of Pipra P.S. Case No. 98 of 2021/G.R. No. 637 of 2021 subject to the following conditions:-

(i) The petitioner shall co-operate in the trial.

(ii) He shall remain present on each and every date of trial till conclusion of trial.

(iii) He shall not tamper with the evidence or intimidate the witness and to delay the conclusion of trial.



(iv) In the event of default of two consecutive dates without any valid reasons, his bail bonds is liable to be cancelled.

(v) The petitioner will mark his attendance before the concerned Police Station under which his house is located every fortnightly till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and the concerned S.H.O. of the Police Station shall submit his report to the Superintendent of Police having jurisdiction.

7. Accordingly, the present application stands disposed off.

(P. B. Bajanthri, J)

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