

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54987 of 2023

Arising Out of PS. Case No.-71 Year-2014 Thana- HALSI District- Lakhisarai

=====

NARAYAN YADAV SON OF LATE ROHAN YADAV R/V- BEGUSARAI,
PS- HALSI, DIST- LAKHISARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-08-2023

Heard the parties.

The petitioner is in custody in connection with S. Tr.
No. 140 of 2016 arising out of Halsi P.S. Case No. 71 of 2014
for the offence under sections 147, 148, 149, 302, 120(B) of the
Indian Penal Code lodged on 14.06.2014 by the informant,
Saro Devi.

As per the prosecution story, the informant alleged
that she went to the field alongwith her husband and son. When
she heard that her husband was crying and was chased by 4-5
persons. It is alleged that three of them opened fire and her
husband died on the spot. Accordingly, the FIR.

Learned counsel for the petitioner submits that
omnibus allegation is against all of them and further, he was
remanded in this case on 08.08.2014 (as stated in paragraph 10



of the petition) and is languishing since nine years in jail.

The last submission is that others have been granted bail vide Cr. Misc. No. 52535 of 2016 (Dinesh Yadav), Cr. Misc. No. 15850 of 2015 (Munshi Yadav), Cr. Misc. No. 2448 of 2016 (Bikram Yadav) and Cr. Misc. No. 81612 of 2019.

Learned APP opposes the prayer for bail.

Solely on the ground that the petitioner has remained in custody for nine years and the trial could not be concluded, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge 1st cum Special Judge SC/ST Lakhisarai, in connection with S. Tr. No. 140 of 2016 arising out of Halsi P.S. Case No. 71 of 2014 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

kiran/-

U		T	
---	--	---	--

