

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62401 of 2022

Arising Out of PS. Case No.-146 Year-2014 Thana- KONCH District- Gaya

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KAMLESH YADAV @ TAKAL Son of Ram Jhakhuri Yadav R/V- Chabura
Khaira, P.S and P.O- Aanti, Dist- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vardaan Mangalam, Advocate
		Mr. Dinu Kumar, Advocate
For the Opposite Party/s :		Mr. Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-01-2023 Heard both sides.

By order dated 23.11.2022 report regarding stage of trial in connection with Sessions Trial No.289 of 2016/53 of 2019, arising out of Konch P.S. Case No.146 of 2014 was called for from the court of learned Additional Sessions Judge-III, Gaya.

Perused the report at Flag 'P'. The Additional District & Sessions Judge-III-cum-Special Judge, MP/MLA, Gaya has reported that out of 13 chargesheet witnesses, 6 witnesses have been examined and cross-examined up till now and rest 7 witnesses have to be examined. Bailable Warrants have been issued on 02.04.2022 against rest of the non-official witnesses and execution report has also been called for on 14.11.2022.



Learned counsel for the petitioner submits that the petitioner is in judicial custody since 24.02.2015.

Taking into consideration the period of custody of the petitioner, let petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Gaya in connection with Konch P.S. Case No.146 of 2014, giving rise to Sessions Trial No.289/2016/53/2019, subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates, his bail bonds shall be liable to be cancelled.

(3) That the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at



liberty to move cancellation of his bail bond.

(4) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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