

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66214 of 2022**

Arising Out of PS. Case No.-74 Year-2019 Thana- PANCHRUKHI District- Siwan

1. ASHOK YADAV SON OF GANESH YADAV RESIDENT OF VILLAGE- MANDRAULI, P.S.- PACHRUKHI (M.H. NAGAR), DISTRICT- SIWAN
2. SURENDRA YADAV SON OF GANESH YADAV RESIDENT OF VILLAGE- MANDRAULI, P.S.- PACHRUKHI (M.H. NAGAR), DISTRICT- SIWAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

|                          |   |                          |
|--------------------------|---|--------------------------|
| For the Petitioner/s     | : | Mr.Rabindra Kumar Tiwari |
| For the Opposite Party/s | : | Mr.Renu Kumari           |

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
ORAL ORDER

3      11-01-2023                      Heard the parties.

The petitioners have renewed their prayer for regular bail in connection with Pachrukhi (M.H. Nagar) P.S. Case No. 74 / 2019 registered under Section 302 / 201 / 120 / 34 of the IPC.

This is third attempt for bail on behalf of the petitioners inasmuch as inasmuch as earlier bail applications of the petitioners *vide* Cr. Misc. No. 3007 / 2020 was dismissed by order dated 23.06.2020 and Cr. Misc. No. 39347 of 2021 by order dated 11.04.2022. While rejecting the bail application of the petitioners for the 2<sup>nd</sup> time this Court had taken note of the report submitted by the trial court in which it was informed that



out of five charge sheet witnesses, one has been examined and estimated time for conclusion of the trial was given within six months. Accordingly, rejecting the bail application of the petitioners for the 2<sup>nd</sup> time this Court had granted them liberty to renew their prayer for bail after six months if the trial does not conclude by that time .

This court again *vide* its order dated 30.11.2022 called for a report from the trial court regarding the stage of the trial and in pursuance thereof learned Addl. Sessions Judge – IX, Siwan has submitted his report vide letter no. 845 dated 15.12.2022 and from perusal of the same it appears that that as of today only two witnesses have been examined and cross examined out of five charge sheet witnesses and no estimated time for conclusion of the trial has been given by the learned Addl. Sessions Judge-IX, Siwan in his report. Petitioners are in custody since 26.03.2019.

Taking into consideration the period of custody of the petitioners since 26.03.2019, the tardy progress of the trial and further that this is third attempt for bail on behalf of the petitioners, I am inclined to grant regular bail to the petitioners.

Let the petitioners, above named, be released on regular bail on furnishing bail bond of Rs. 20,000/- ( twenty thou-



sand) each with two sureties of the like amount each to the satisfaction of learned ADJ-II-cum-Special Judge Excise, Siwan in connection with Pachrukhi (M.H. Nagar) P.S. Case No. 74 / 2019 on the following condition:-

(i) that the petitioners shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioners, their bail bond shall liable to be cancelled.

(Anil Kumar Sinha, J)

praful/-

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