

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68857 of 2023

Arising Out of PS. Case No.-129 Year-2022 Thana- KHAJAULI District- Madhubani

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AMIT KUMAR YADAV @ AMIT YADAV @ AMIT BAIDA S/O DILIP
YADAV R/O VILLAGE- SHILANATH BARHI, P.S- JAYNAGAR, DISTT.-
MADHUBANI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gayandeo Yadav, Advocate
Mr. Ravi Prakash, Advocate
For the Opposite Party/s : Mr. Binod Kumar No.3, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 13-10-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. Petitioner seeks regular bail in connection
with Khajauli P.S. Case No.129 of 2022 dated 21.07.2022
registered for the offence/s punishable under Section/s 341 and
307/34 of the Indian Penal Code and Section 27 of the Arms
Act.
3. This is second attempt of the petitioner for
the relief of regular bail after the petitioner's earlier attempt for
the same relief was rejected by this Bench vide order dated
01.08.2023 passed in Cr. Misc. No.11028 of 2023 preferred by
this petitioner.
4. It is submitted by the learned counsel for the



petitioner that the petitioner has come again for the relief of regular bail mainly in the light of the liberty given to him in the order by which petitioner's earlier prayer was rejected and petitioner was given a liberty to renew his bail prayer after the framing of charge and upon him the charges have been framed on 01.09.2023 and thereafter no progress has been made in the trial of the petitioner. Further submissions are that the petitioner is a very young person aged about 19 years and he has been languishing in jail since 22.08.2022 and the co-accused namely Devendra Sahni @ Devendra Kumar Sahni has been granted bail and the petitioner's trial is at initial stage. Further submission is that against the petitioner there are two criminal cases including the present matter and the second case relates to the recovery of fire-arms that was allegedly used in the alleged crime of the present matter in which the petitioner has got bail.

5. Learned APP appearing for the State opposes the bail prayer.

6. Heard both the sides. Though against the petitioner there is serious allegation but considering his young age as well as the status of his trial as appears from the statements made in paragraph No.19 and 20 of the petition which goes to show that upon the petitioner charges have been



framed on 01.09.2023 but thereafter no progress has been made in his trial, in my opinion, in the said circumstances and mainly in view of his custody period, the petitioner now deserves to the privilege of bail. Accordingly, let the petitioner named-above be released on bail in connection with Khajauli P.S. Case No.129 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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