

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66544 of 2022

Arising Out of PS. Case No.-23 Year-2004 Thana- BHIMPUR District- Supaul

Devan Yadav, Son of Late Jini Lal Yadav @ Gini Lal Yadav, Resident of
Village- Bhimpur, P.S.- Bhimpur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 25-02-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Ashok Kumar, learned counsel for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Bhimpur P.S. Case No. 23 of 2004, giving rise to S.T. No. 284 of 2005, registered for the offences punishable under Sections 147, 148, 149, 323, 341, 342 and 307 of the Indian Penal Code.

It is submitted at the bar by the learned counsel for the petitioner that the petitioner was already allowed bail by the court below itself and he was all along appearing in the jurisdictional court, but in the year 2017 after having compromised the matter, he left Pairvi and suddenly on



04.05.2017 his bail bond has been cancelled. It is further submitted that on 18.05.2018, the petitioner has been declared absconder and, later on, on 15.07.2022 he was apprehended by the police. He next submits that now the petitioner has already punished properly, as he is in custody over a period of seven months and the petitioner is ready to give undertaking that he will fully cooperate in the trial.

On the other hand learned APP for the State opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is in custody for a period of more than seven months and he is ready to give undertaking that he will fully cooperate in the trial, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Supaul in connection with Bhimpur P.S. Case No. 23 of 2004, giving rise to S.T. No. 284 of 2005, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the



trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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