

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72994 of 2023

Arising Out of PS. Case No.-528 Year-2021 Thana- KHAGARIA District- Khagaria

PANDAV YADAV SON OF BHARAT YADAV RESIDENT OF VILLAGE-
BARKHANDI TOLA MATHAR, WARD NO 15, PS- MUFFASIL, DIST-
KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajit Kumar, Adv.

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 01-12-2023 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks regular bail in connection with
Khagaria (Muffasil) P.S. Case No. 528/ 2021 dated 07.07.2021
registered for the offence(s) punishable under Section(s) 341,
323, 307, 447 and 379 read with Section 34 of the Indian Penal
Code and Section 27 of Arms Act.

3. This is third attempt of the petitioner for the relief
of regular bail after the petitioner's earlier two attempts for the
same relief were rejected by this Bench vide orders dated
24.02.2023 and 25.08.2023 passed in Cr. Misc. Nos. 63456/
2022 and 45691/ 2023 preferred by this petitioner.

4. The main submissions advanced by the learned



counsel for the petitioner are that the petitioner has been languishing in jail since 17.07.2022 having fair and clean antecedent and earlier he preferred Cr. Misc. No. 45691/ 2023 for getting the relief of bail which was his second attempt and the said prayer was rejected by this Bench granting him a liberty to renew his prayer for bail after framing of charge and in the light of said liberty petitioner has come again before this court for the relief of regular bail as charges upon him have been framed on 08.09.2023.

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 long custody period and mainly taking into account the petitioner's trial being at initial stage, in my opinion, the petitioner now deserves to the privilege of bail. Accordingly, let the petitioner named-above be released on bail in connection with Khagaria (Muffasil) P.S. Case No. 528/ 2021 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 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the trial Court and shall remain physically present as directed by the trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial court.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(3) One of the bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

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