

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26866 of 2024

Arising Out of PS. Case No.-277 Year-2019 Thana- BAKHTIYARPUR District- Patna

Dinesh Yadav S/o- Late Munshi Singh @ Munshi Yadav R/o Vill-
Chakdaulat, P.S- Bakhtiyarpur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.A.K.Thakur, Adv. Mrs.Vaishnavi Singh, Adv.
For the Opposite Party/s :		Mrs.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-04-2024 Heard learned counsel for the parties.

2. The petitioner seeks bail in a case registered for the offence punishable u/s 147, 148, 149, 307, 302, 120(B) of the IPC and section 27 of the Arms Act.

3. Earlier, thrice, the prayer for bail of this petitioner was rejected. Vide order dated 15.02.2023 passed in Cr. Misc. No.68401 of 2022 by this Court, the bail application of the petitioner was rejected with a liberty to renew his prayer for bail, if the trial is not concluded within 12 months from the date of order.

4. The petitioner has now filed this application for bail.

5. It is submitted by learned counsel for the petitioner that out of twelve charge sheet witnesses, only three witnesses have



been examined till date and there is no likelihood of the trial to be concluded in near future. The up to date order sheet has been enclosed with the bail petition. The petitioner is languishing in custody since 25.09.2020 i.e. more than three and half year.

6. Considering the submissions made, the above named petitioner is directed to be enlarged 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 the learned Court below where the case is pending/successor Court in connection with Bakhtiyarpur P.S. Case No.277 of 2019, subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused 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 the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of



failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

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