

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34082 of 2024

Arising Out of PS. Case No.-218 Year-2019 Thana- HUSSAINGANJ District- Siwan

Dhananjay Yadav son of Bindeshwari Yadav Vill- Chhapiya Khurd Tola Ps-
Hussainganj Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Anupam
For the Opposite Party/s : Mr. Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has renewed his prayer for grant of regular bail in a case registered for the offence punishable under sections 363 of the Indian Penal Code which was first time rejected by order dated 21.8.2020 passed in Cr. Misc. 19914 of 2020 and secondly it was rejected vide order dated 18.08.2021 passed in Cr. Misc. No. 34186 of 2021 and lastly it was rejected by this Court vide order dated 3.10.2023 passed in Cr. Misc. No. 70224 of 2021 with a direction to trial court to conclude the trial positively within a period of six months.

3. It is submitted by learned counsel for the petitioner that there is no hope to conclude the trial in near future. It is mentioned in para-10 of the petition that after lapse of about



four years, only seven witnesses were examined and trial is still pending for evidence. Out of seven witnesses including the informant of the case, not a single witness has whispered about the involvement of the petitioner in the present case. Petitioner has got no criminal antecedent. Petitioner is languishing in judicial custody since 21.01.2020.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Siwan in connection with Hussainganj P.S. Case No. 218 of 2019 with following conditions:

(1) Petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) If the petitioner tampers with the evidence or threatens the witnesses, in that case, the prosecution will be at



liberty to move for cancellation of bail.

(iii) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail-bonds will be cancelled by the court below.

(Sunil Kumar Panwar, J)

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