

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34707 of 2024

Arising Out of PS. Case No.-277 Year-2021 Thana- BARAUNI District- Begusarai

Amlesh Kumar Yadav @ Amlesh Kumar @ Amlesh Kr Yadav S/o Shiv
Nandan Yadav R/o vill - Bariyahi, P.S. - Barauni, (Chakia O.P), Distt. -
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-08-2024 Heard Mr.Sandip Kumar Gautam, learned counsel for
the petitioner and Mr.Bharat Bhushan, learned APP for the State.

2. The petitioner seeks bail, who is in custody since
20.05.2022 in connection with S.Tr.No.804 of 2022 arising out
of Barauni P.S. Case No. 277 of 2021, F.I.R. dated 08.07.2021
registered for the offence punishable under Sections
304(B),201,120(B) of IPC.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 11.07.2023 passed in Cr.Misc.No.601
of 2023.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has
falsely been implicated in the present case merely on the ground



that the petitioner is husband of the deceased.

5. Vide order dated 21.06.2024 a report was called for with regard to the present status of the trial. Report of the learned Trial Court dated 02.07.2024 reveals that out of seven chargesheet witnesses, four witnesses have been examined and the case is pending for the examination of the rest of three prosecution witnesses.

6. Learned APP for the State has opposed the prayer for bail of the petitioner.

7. Learned counsel for the petitioner submits that in view of the report of the learned Trial Court that there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 20.05.2022.

8. Considering the report of the learned Trial Court and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II, Begusarai in connection with S.Tr.No.804 of 2022 arising out of Barauni P.S. Case No. 277 of 2021, with the following conditions:-

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



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

(II) 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.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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