

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65240 of 2024**

Arising Out of PS. Case No.-10 Year-2022 Thana- KATORIYA District- Banka

Ajay Yadav S/O Ram Prasad Yadav R/O Village- Telondha, P.S.- Katoriya,
District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Ms. Priyanka Singh, Advocate
For the State : Mr. Sunil Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER**

2 06-09-2024 Heard Ld. counsel for the petitioner and Ld. APP or
the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 625 of 2022 arising out of Katoriya P.S. Case No. 10 of 2022, dated 06.01.2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 302, 504, 506 and 120B of the Indian Penal Code.

3. Ld. Counsel for the Petitioner submits that the petitioner had moved this Court earlier for regular bail vide Cr. Misc Case No. 30397 of 2022 which was rejected vide order dated 25.01.2023, with an observation that if the Trial is not concluded within a period of one year, the petitioner would be at liberty to renew his prayer for bail. He further submits that since



the Trial has not yet been concluded and near about one year and eight months have passed since the rejection of the earlier bail petition, the petitioner vide present application has renewed his prayer for bail.

4. Ld. APP for the State, however, opposes the prayer of the petitioner for bail submitting that the trial is at its fag end.

5. From perusal of the impugned order dated 03.08.2024 passed by Ld. ADJ-IX, Banka in S.T. No. 625 of 2022, it transpires that the trial is still going on and as per the stipulation made in the order dated 25.01.2023 passed in Cr. Misc. No.30397 of 2022, the petitioner was given liberty to renew his prayer for bail after one year, and more than one year has passed.

6. Considering the aforesaid facts and circumstances, particularly the fact that the trial has not yet been concluded, this **application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Additional District and Sessions Judge-IX, Banka in connection with Sessions Trial No. 625 of 2022 arising out of Katoriya P.S. Case No. 10 of 2022, on the following conditions:



(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bond of the petitioner.

(Jitendra Kumar, J)

Chandan/S.Ali-

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