

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77746 of 2023

Arising Out of PS. Case No.-194 Year-2018 Thana- BARH District- Patna

POKHAN YADAV @ ANANDI YADAV S/O LATE DEVNANDAN YADAV
RESIDENT OF VILLAGE-SOEMA, PS-BARH, DISTRICT-PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Premchandra Yadav, Adv.

For the Opposite Party/s : Mr.Rajendra Singh Shastri, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-01-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable u/s 302/34 of the IPC.

3. Earlier, twice, the prayer for bail of this petitioner was
rejected vide order dated 27.07.2021 passed in Cr. Misc.
No.18305 of 2021 and 07.12.2022 passed in Cr. Misc.23509 of
2022 by this Court.

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

5. Vide order dated 01.12.2023, a report was called for,
regarding the stage of trial. In compliance thereof, a report sent
by learned Additional District and Sessions Judge-V, Barh dated
22.12.2021, is kept at flag 'A', whereby it is stated that out of
seven charge sheet witnesses, two witnesses have been



examined and summons have been sent to the rest witnesses for their examination.

6. It is submitted by learned counsel for the petitioner that the petitioner is languishing in judicial custody since 06.07.20219 and there is no likelihood of the trial to be concluded in the near future.

7. Considering the period of custody of the petitioner, 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 Barh P.S. Case No.194 of 2018, 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.

(Anjani Kumar Sharan, J)

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