

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1645 of 2024

Arising Out of PS. Case No.-204 Year-2020 Thana- SAUR BAZAR District- Saharsa

Jay Kumar Yadav S/o Raghunandan Yadav @ Raghuvar Yadav R/o village-
Surmaha, P.S-Bajrangi Tola, Ward No.7, P.S-Sour Bazar (Patarghat O.P.),
District-Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rashmi Jha

For the Opposite Party/s : Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 16-02-2024 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. The petitioner has renewed his prayer for bail in
connection with Sour Bazar (Patarghat) Police Station
Case No. 204 of 2020 registered under sections 147, 148,
149, 341, 323, 302, 307, 504, 506 of the Indian Penal
Code and Section 27 of the Arms Act dated 19.05.2020.
3. This is the second attempt for bail on behalf of the
petitioner inasmuch as earlier the bail application of the
petitioner was rejected *vide* order dated 13.12.2021
passed in Criminal Miscellaneous No. 31077 of 2021.
4. The allegation against the petitioner is that he fired upon
the brother of the informant with country made pistol, due



to land dispute.

5. Learned counsel for the petitioner submits that the petitioner is in custody since 20.05.2020, but the trial has not progressed substantially. She further submits that both the side i.e. prosecutor and the defence are closely related and the petitioner is uncle of the deceased. The occurrence has taken place due to land dispute. This Court vide its order, dated 12.01.2024, had called for a report regarding the stage of the trial being Sessions Trial No. 105 of 2021. From perusal of the said report, submitted by the Sessions Judge, Saharsa, stating therein, that out of nine prosecution witnesses, five witnesses have been examined. Four witnesses are yet to be examined for whichailable warrants and summons have been issued.
6. Regards being had to the submissions made by the parties and taking into consideration the fact that the petitioner is in custody since 20.05.2020 i.e., for more than three years and the trial has not progressed satisfactorily, accordingly, I am inclined to grant regular bail to the petitioner.
7. Let the petitioner, Jay Kumar Yadav, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand)



with two sureties of the like amount, each to the satisfaction of learned District & Sessions Judge, Saharsa, in connection to the Sour Bazar (Patarghat) Police Station Case No. 204 of 2020.

8. This is subject to the condition that the petitioners shall present themselves before the Court, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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