

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2016 of 2024

Arising Out of PS. Case No.-4 Year-2022 Thana- RAGHUNATHPUR District- Siwan

Chandrika Yadav Son of Late Ratan Yadav resident of village- Bhushi Tola
patar, P.S.- Raghunathpur, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr.Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 19-04-2024

1. Heard the parties.

2. Petitioner seeks regular bail in connection with Raghunathpur P.S. Case No. 04/ 2022 dated 08.01.2022 registered for the offence(s) punishable under Section(s) 395 and 397 of the Indian Penal Code.

3. Mr. Ajay Kumar Tiwary, learned counsel for the petitioner submits that this is second attempt of the petitioner for the relief of regular bail after the petitioner's earlier attempt for the same relief was rejected by this Bench vide order dated 14.02.2023 passed in Cr. Misc. No. 61846/ 2022 and now the petitioner has again come for the relief of bail mainly on the ground of his long incarceration period as well as no progress in his trial. It is further submitted that petitioner has been languishing in jail since 28.01.2022 and except the recovery of a pipe gun which is said to have been used in the commission of



the alleged offence, from the possession of this petitioner there is no other material to show the petitioner’s involvement in the alleged crime. He further submits that petitioner is an old person aged about 70 years in the present time.

4. Mr. Binod Kumar No.3, learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly taking into account the petitioner’s old age and his custody period and also, no progress in his trial as reflects from the report of learned trial court which goes to show that the charge was framed on 24.08.2023 but thereafter no witness has been examined by the prosecution till the date of sending the report, in my opinion, the petitioner now deserves to be released on bail. Accordingly, let the petitioner named-above be released on bail in connection with Raghunathpur P.S. Case No. 04 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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