

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2595 of 2024

Arising Out of PS. Case No.-8 Year-1999 Thana- KORANSARAI District- Buxar

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MANOJ YADAV S/O LATE JAI GOVIND YADAV R/O VILLAGE-
BASGITIYA, P.S- KORANSARAI, DISTT.- BUXAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Sadanand Roy
For the Opposite Party/s : Mr.Syed Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 13-03-2024 Hear learned counsel for the parties.

Earlier, bail application of the petitioner was rejected by this Court vide order dated 17.02.2023 passed in Cr. Misc. No. 54330 of 2022, with a direction to conclude the trial within six months and with liberty.

When the trial did not conclude within its stipulated period of time as mentioned in its report, the petitioner moved before this Court for bail. Thereafter, in pursuance to the direction of this Court a report with present stage of trial was received on 02.09.2023, in which the trial Court had sought one month time to conclude the trial. Therefore, the learned counsel for the petitioner withdrawn bail application of the petitioner as



the trial Court had sought one month time to conclude the trial.

The petitioner has prayed for regular bail in this case registered for the offence punishable under sections 395, 396, 397 of the Indian Penal Code.

learned counsel for the petitioner again moved before this court for bail as the trial has not been concluded as yet. In pursuance to the direction of this Court, a fresh report with regard to the present stage of trial was received on 27.01.2024, which has been kept at Flag 'R', from which it appears that after framing of charge, out of 17 witnesses seven witnesses had been examined and case was fixed for evidence. The trial Court had sought **nine months** more time to examine the rest 10 witnesses to conclude the same.

Learned counsel for the petitioner submitted that the there is no hope to conclude the trial in near future rather the petitioner is languishing in judicial custody since 17.08.2022.

Having heard learned counsel for the parties and considering the gravity of this case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Koransarai P.S. Case No. 08 of 1999 on furnishing bail bond of Rs.10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XI, Buxar. With following condition:-

(I) the petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or threatens the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) In case, the petitioner repeats offence of similar nature after enlargement of bail, his bail bonds will be cancelled by the Court below.

(Sunil Kumar Panwar, J)

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