

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.780 of 2018**

Arising Out of PS. Case No.-17 Year-2011 Thana- KHAIRA District- Jamui

-
1. Munna Yadav Son of Baiju Yadav.
 2. Dilip Yadav, Son of Bhelu Yadav.
Both resident of Village- Mangobandar, P.S.- Khaira, District- Jamui.

... .. Appellants

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr. Prakash Mahto, Advocate

For the Respondent/s : Mr. Sri Abhimanyu Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

(Per: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA)

8 26-07-2023

I. A. No. 01 of 2022.

Heard learned counsel for the appellants and learned
Additional Public Prosecutor for the State.

2.The appellants have prayed for suspension of
sentence and grant of bail during the pendency of appeal. Their
prayer for bail was earlier rejected by this Court vide order
dated 03.10.2018.

3. Submission of learned counsel for the appellants is
that the fresh ground for bail of the appellants are that the
appellants have been languishing in custody since 04.06.2018.

As such, they have remained in custody for about 5 years and



there is no likelihood of the appeal to be taken up for hearing in the near future.

4. Learned A.P.P. appearing on behalf of the State opposed the prayer for bail of the appellants. The prayer of bail of the appellants was earlier rejected on merit and there is no fresh ground for its reconsideration.

5. Considering the submissions advanced on behalf of the parties and the fact that no fresh ground has been urged on behalf of the appellants, this Court is not inclined to grant the privilege of bail to the appellants. Their prayer for bail is, accordingly, rejected.

6. However, in case the appeal is not taken up hearing within a year, the appellant will be at liberty to renew his prayer for bail.

7. The interlocutory application stands rejected.

(Arvind Srivastava, J)

(Sunil Dutta Mishra, J)

shweta/-

U		T	
---	--	---	--

