

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41805 of 2017

Arising Out of PS.Case No. -125 Year- 2015 Thana -PAROO District- MUZAFFARPUR

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1. Munna Rai Son of Shivpujan Rai, R/o Village- Matihani, P.S.- Paroo,
District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nitu Kumari

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-09-2017

Heard the parties.

The petitioner seeks regular bail in connection with Paroo P.S.Case No.125 of 2015 , registered for offences punishable under Sections 270, 272, 273, 420, 471/34 of the Indian Penal Code.

Earlier the prayer for bail of the petitioner was rejected by this Hon'ble Court with an observation, vide order dated 22.3.2017 passed in Cr. Misc. No.13625 of 2017 that he may renew his prayer for bail before the court below itself who will consider criminal antecedent of the petitioner as well as materials available on the record and he will pass appropriate order.

Now the present application has been filed on behalf of the petitioner that he has remained in custody for eight months and he has no criminal antecedent. It appears from the impugned



order that the learned court below has not considered as to whether the petitioner has criminal antecedent or not.

Heard learned A.P.P. also.

Having heard both sides and consider the fact that the petitioner is in custody for eight months and he has no criminal antecedent, let the petitioner, above named, 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 learned Spl. Judge Excise Act, Muzaffarpur in connection with Paroo P.S. Case no.125 of 2015 (Tr.No.3370 of 2017).

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in disposal of trial and make himself available as and when required by the court. In the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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