

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.15736 of 2020**

Arising Out of PS. Case No.-197 Year-2019 Thana- MASHRAK District- Saran

SURESH RAI Son of Late Jaleshwar Rai Resident of Village - Bhalua Nakta,
P.S.- Taraiya, District- Saran at Chapra

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh,Advocate

For the Opposite Party/s : Mr.Satyadeo Singh Yadav,APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 15-06-2020 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Mashrakh P.S. Case No. 197 of 2019 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Sections 30, 30(a), 38, 41 of the Bihar Prohibition and Excise, Act.

Earlier the prayer for bail of the petitioner was rejected vide order dated 16.01.2020 passed in Cri. Misc. Case No. 74162 of 2019 considering the submission of learned APP for the State that the petitioner had some criminal antecedent and his custody period was less.

Learned counsel for the petitioner has submitted



that the petitioner has now remained in judicial custody in connection with this case for over 10 months.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

This being the position considering that the petitioner has been in custody for over 10 months in connection with this case, let the petitioner above named be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge cum Special Judge, Excise, Saran at Chapra, in connection with Mashrakh P.S. Case No. 197 of 2019, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any



person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

The application is allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Arvind

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

