

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.20834 of 2020**

Arising Out of PS. Case No.-76 Year-2019 Thana- GUTHANI District- Siwan

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Rajan Bharti, S/o Gajendra Bharti, Resident of Village- Bathahi Mathiya,  
Post- Biswar, P.S.- Guthni, District- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

|                          |   |                                    |
|--------------------------|---|------------------------------------|
| For the Petitioner/s     | : | Mr. Jitendra Kumar Giri, Advocate  |
| For the Opposite Party/s | : | Mr. Aditya Narayan Singh.1, A.P.P. |
| For the Informant        | : | Mr. Raghav Prasad, Advocate        |

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

2      29-06-2020              Learned counsel for the petitioner undertakes to  
  
remove the defects within three weeks after start of normal  
  
functioning of the Court.

Heard learned counsel for the petitioner, Mr. Aditya  
Narayan Singh no. 1, learned A.P.P. for the State and Mr.  
Raghav Prasad, learned counsel for the informant.

Petitioner in the present case is seeking regular bail in  
connection with Guthni P.S. Case No. 76 of 2019 registered for  
the offences punishable under Sections 341, 323, 324, 307, 379,  
504, 506 and 34 of the Indian Penal Code.

Earlier the prayer for bail of the petitioner was  
rejected vide order dated 17.12.2019 passed in Cr. Misc. 65521  
of 2019 with an observation that the petitioner may renew his



prayer for bail after a reasonable time. Petitioner has remained in custody for more than ten months by now, the investigation is complete and his continuation in the custody is not likely to aid in investigation or help the prosecution at this stage.

Considering that an under trial cannot be kept in incarceration treating him as a convict, this Court directs the petitioner above named be released on bail in connection with Guthni P.S. Case No. 76 of 2019 on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, subject to the condition as laid down under Section 437 (3) 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, of 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.

This application stands allowed.

**(Rajeev Ranjan Prasad, J)**

vats/-

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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'.

