

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14292 of 2021

Arising Out of PS. Case No.-28 Year-2019 Thana- BELA INDUSTRIAL District-
Muzaffarpur

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Jay Prakash Kumar @ Jay Prakash Son of Ayodhya Singh @ Ram Ayodhya
Singh Resident of Village - Rajarampur, P.S.- Saraiya, District - Muzaffarpur
... .. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. A. K. Thakur, Advocate
Mr. Shashank Shekhar, Advocate
For the Opposite Party : Mr. Ram Sewak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 14-07-2021 Heard Mr. A. K. Thakur, learned counsel for the

petitioner and Mr. Ram Sewak Chaudhary, learned Additional

Public Prosecutor for the State via video conferencing.

The petitioner seeks bail in connection with Bela
P.S. Case No. 28 of 2019 registered for the offences punishable
under Sections 272, 273, 414 and 120B of the Indian Penal
Code and 30(a), 38(1) and 41 (1) of the Bihar Prohibition and
Excise Act.

The prayer for bail of the petitioner was earlier
rejected by this Court vide order dated 16.06.2020 passed in Cr.
Misc. No.16108 of 2020. The petitioner challenged the aforesaid
order dated 16.06.2020 before the Hon'ble Supreme Court by
filing Special Leave to Appeal (Crl.) No. 3558 of 2020. The
special leave petition filed before the Supreme Court was
dismissed as withdrawn vide order dated 19.08.2020.



Mr. Thakur, learned counsel for the petitioner submitted that the petitioner was not apprehended on the spot. He contended that even the charges have not been framed till date. He further contended that co-accused Anil Kumar, Indrajit Kumar @ Nanki and Shashibhusan Sharma have already been granted bail by this Court vide orders passed in Cr.Misc. Nos. 66250 of 2019, 72964 of 2019 and 13432 of 2020 respectively.

Learned counsel for the State has opposed the prayer for grant of bail to the petitioner.

Considering the nature of the offence, period of one year and five months undergone by the petitioner in custody as an under-trial prisoner and the unlikelihood of the trial to be completed in near future as also that several other co-accused persons have been granted bail by this Court, he is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Bela P.S. Case No. 28 of 2019.

(Ashwani Kumar Singh, J)

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