

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15604 of 2020**

Arising Out of PS. Case No.-450 Year-2018 Thana- GARKHA District- Saran

BIRENDRA RAI Son of Late Sheo Nath Rai Resident of Village - Tahal Tola,
P.S.- Garkha, Distt - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vipin Kumar Singh

For the Opposite Party/s : Mr.Narendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 24-02-2021

Heard both parties.

The petitioner seeks bail in Garkha P.S. Case No. 450 of 2018, registered for the offence punishable under Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code.

Earlier bail application of the petitioner was rejected vide order dated 18.09.2019. This is second attempt. Vide order dated 04.03.2020 report regarding current stage of trial was called for from the court below and the same has been received. From perusal of the report it appears that trial is pending for appearance of the accused persons. Petitioner is in custody 27.03.2019.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/-



(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate XIV, Saran at Chapra in connection with Garkha P.S. Case No. 450 of 2018, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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