

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33171 of 2021**

Arising Out of PS. Case No.-266 Year-2019 Thana- BARAUNI District- Begusarai

Abhinit Kumar @ Happa @ Abneet Kumar @ Happa, aged about 20 years,  
S/O Shankar Singh R/O Village-Bihat Tola Ibrahimpur, Ward No.28, P.S-  
Barauni (O.P FCI), District-Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

For the Opposite Party/s : Mr.A.P.P.

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

2. 16-06-2021 Heard counsel for the parties through video conferencing.

This is 3<sup>rd</sup> attempt for grant of bail on behalf of petitioner.

On last occasion, vide order dated 02.11.2020 passed in Cr.Misc. No. 23214 of 2020, the prayer for bail of petitioner was rejected on the ground that charge was not framed.

It is submitted in paragraph – 10 of the petition that charge has already been framed against petitioner and others on 31.03.2021 under Sections 302/34 and 302/120(B) of the Indian Penal Code. Petitioner is in custody since 02.07.2019.

Considering the period of custody and the fact that charge has already been framed, the bail petition of petitioner is allowed.



Let the above named petitioner 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 A.D.J. - IX, Begusarai in connection with Sessions Trial No. 65 of 2021, arising out of Barauni (F.C.I.) P.S. Case No. 266 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

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

**(Prabhat Kumar Singh, J.)**

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