

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.37859 of 2021**

Arising Out of PS. Case No.-612 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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UMA SINGH @ SANJAY KUMAR Son of Nathuni Singh Resident of
Village- Subedar Bigha, P.S.- Obra and District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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

3 04-08-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

This is the second attempt of the petitioner to obtain bail

in connection with Excise Case No. 612 of 2020 registered for the

offences punishable under Section 30(a) of the Excise Act.

Petitioner has declared three criminal antecedents in paragraph '3'.

Earlier the prayer for bail of the petitioner was

rejected vide order dated 29.01.2021 in Cr. Misc. No. 34109 of

2020 with an observation that the petitioner may renew his

prayer for regular bail after a reasonable period.

Learned counsel for the petitioner submits that now the petitioner has spent more than one year of custody and as such his prayer for bail may be allowed.

Learned A.P.P. for the State has though opposed the prayer for bail of the petitioner but considering the facts and circumstances of the case and the period of custody of the petitioner being more than one year, this court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VII-cum-Special Judge, Excise, Aurangabad in connection with Excise Case No. 612 of 2020 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 the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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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'.