

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43466 of 2021**

Arising Out of PS. Case No.-455 Year-2019 Thana- SAKRA District- Muzaffarpur

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Ajay Jha @ Babua Don @ Ajay Kumar Jha S/o Kameshwar Jha R/o village-
Dharmagatpur, Gangati, P.S.- Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

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

3. 29-09-2021 Heard learned counsel for the parties.

This is 2nd attempt for grant of bail on behalf of petitioner. Earlier, the bail petitioner of petitioner was rejected, vide order dated 09.11.2020 passed in Cr.Misc. No. 24294 of 2020 (Annexure-1).

On last occasion, vide order dated 18.08.2021, a report was called for from the court below regarding stage of the trial, which has been received and kept at flag 'R'. Trial Court report reveals that in this case, charge has already been framed on 01.09.2021.

It is submitted on behalf of the petitioner that petitioner is in custody since 02.03.2020 and till date, only charge has been framed.

Considering the aforesaid facts & circumstances as



well as period of custody, 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 Special Judge, Excise Act, Muzaffarpur in connection with Sakra P.S. Case No. 455 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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