

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47123 of 2021**

Arising Out of PS. Case No.-344 Year-2017 Thana- RAJPUR District- Buxar

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Birju Ram @ Biraju Ram Son of Ramesh Ram Resident of Village- Khalasi Mahala, P.S.- Buxar (T), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar

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

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

2 25-08-2021 Heard learned counsel for the parties through video conferencing.

This is 2nd attempt for grant of bail on behalf of petitioner. Earlier, the bail petitioner of petitioner was rejected, vide order dated 05.11.2020 passed in Cr.Misc. No. 26752 of 2020.

It is submitted on behalf of the petitioner that in this case, charge has already been framed on 02.12.2020 and till date, only two witnesses have been examined. Petitioner is in custody since 24.02.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the 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 A.D.J.-II cum Special Judge, Excise Act, Buxar in connection with C.I.S. Case No. 3980 of 2017, arising out of Rajpur P.S. Case No. 344 of 2017, 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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