

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49030 of 2021

Arising Out of PS. Case No.-31 Year-2020 Thana- SAMASTIPUR District- Samastipur

INDRADEO TANEJA @ JONNY Son of Late Chunnilal Taneja Resident of
Village- Bengali Tola, P.S.- Samastipur Town, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Vaishanavi Singh, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-11-2021 Heard Ms. Vaishanavi Singh, learned counsel for the

petitioner and Mr. Akhileshwar Dayal, learned A.P.P. for the

State.

This is the second attempt of the petitioner to obtain
bail in connection with Samastipur Town P.S. Case No. 31 of
2020 registered for the offence under Section 394 of the Indian
Penal Code, in which after investigation, police submitted
charge-sheet under Sections 394, 411, 120(B) of the I.P.C.

Earlier his prayer for bail was rejected by this Court
vide order dated 21.12.2020 passed in Cr. Misc. No. 26218/2020
with an observation that “*In case the trial is not concluded
within a period of six months for no reason attributable to the
petitioner, he may renew his prayer for bail.*”

Learned counsel for the petitioner submits that in this



case, the charges were framed on 01.02.2021, but thereafter not a single prosecution witness has turned up and it is for this reason that the trial has not been concluded. The petitioner is in custody for about one year eight months by now.

Learned A.P.P. for the State has though opposed the prayer for bail of the petitioner, but it is not denied that after the order passed by this Court earlier rejecting the prayer for bail of the petitioner, almost 11 (eleven) months have gone and the trial has not been concluded for the reason attributable to the prosecution alone, in the circumstances, this Court directs release of the petitioner above-named on bail on furnishing 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 Chief Judicial Magistrate, Samastipur in connection with Samastipur Town P.S. Case No. 31 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

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'.

