

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65875 of 2021

Arising Out of PS. Case No.-197 Year-2017 Thana- SANGRAMPUR District- East
Champaran

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SHASHI KANT TIWARI Son of Hosila Tiwari @ Hoshila Tiwari Resident of
Village and P.S. - Sangrampur, District - East Champaran (Motihari).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Lokesh Kumar Singh, Adv.
For the Opposite Party/s	:	Mr.Md. Fahimuddin, APP
For the Informant	:	Mr. Kundan Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-12-2021 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 Mr.Md.
Fahimuddin, learned A.P.P. for the State as well as Mr. Kundan
Kumar, learned counsel for the informant.

This is the second attempt of the petitioner to obtain
bail in connection with Sessions Trial No.389 of 2021 arising
out of Sangrampur P.S. Case No.197 of 2017 registered for the
offences punishable under Sections 341, 379, 307, 504, 506 and
120(B) of the Indian Penal Code.

Earlier while rejecting the prayer for bail of the
petitioner, this Court had observed that the petitioner may renew



his prayer for bail after six months if the trial is not concluded.

Learned counsel for the petitioner submits that only charges have been framed at the time of filing of the present application and hence, he would submit that trial is still not concluded and is not likely to be concluded in near future. Learned counsel further points out that the petitioner has remained in custody since 02.07.2020 and present occurrence has taken place between the petitioner and his uncle on account of some property dispute. The petitioner has otherwise no criminal antecedent inasmuch as in the only case against him he has been acquitted.

Having regard to the facts and circumstances of the case as stated hereinabove, this Court directs that the petitioner above named be released 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 Sessions Judge-X, East Champaran (Motihari) in connection with Sessions Trial No.389 of 2021 arising out of Sangrampur P.S. Case No.197 of 2017, 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)

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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'.

