

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3846 of 2022

Arising Out of PS. Case No.-5 Year-2020 Thana- GHOSWARI District- Patna

Chhatu Saw @ Chhatu Sav @ Chhatthu Saw Son Of Late Janki Saw R/O
Villge- Makhdumpur, P.S.- Amhara, District- Lakhisarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kaushalesh Choudhary, Advocate

For the Opposite Party/s : Mr.Mohammed Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 21-09-2022 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 Ghoswari P.S. Case No. 05/2020, G.R. No. 66/2020 registered for the offence under Section 364(A)/34 of the Indian Penal Code, pending in the court of learned ADJ-IV, Barh in S. Tr. no. 268/2021. Petitioner has got no criminal antecedent as stated in paragraph '3' of the application. He is in custody since 16.01.2020.

Earlier his prayer for bail was rejected vide order dated 21.12.2020 passed in Cr. Misc. No. 27302/2020 with observation that if the trial is not concluded within six months for no reason attributable to the petitioner, considering his age, liberty is granted to him to renew the prayer for bail.

Learned counsel for the petitioner submits that till date trial has not been concluded in this case. The victim boy has already



been recovered and the co-accused who were allegedly involved in the kidnapping of the boy have been granted bail by learned coordinate Benches of this Court in Cr. Misc. No. 2366/2022 and Cr. Misc. No. 61792/2021.

Mr. Fahimuddin, learned A.P.P. for the State does not dispute the aforesaid submission of learned counsel for the petitioner.

In the given circumstances, this Court directs release of the petitioner 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 A.D.J.-IV, Barh, Patna in connection with Ghoswari P.S. Case No. 05 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/-

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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'.

