

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12358 of 2022

Arising Out of PS. Case No.-42 Year-2004 Thana- MOHANIYA District- Kaimur (Bhabua)

Anil Singh @ Anil Kumar Singh Son Of Shiv Narayan Singh @ Bekal Singh,
R/O Village- Sadokhar, P.S.- Chenari, District- Rohtas (sasaram)

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr.Uday Pratap Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 23-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with Mohaniya P.S. Case No. 42 of 2004 lodged under Section 302/201 of the Indian Penal Code.

Learned counsel for the petitioner submits that two unknown body were recovered and F.I.R. was registered against unknown. He further submits that co-accused persons were granted bail by the Co-ordinate Bench of this Court (Annexure-2 series). He further submits that petitioner is in custody since 22.09.2021 and charge sheet has already been filed in this case. He further submits that the petitioner has no clean antecedent but in the earlier case he is on bail. Learned counsel for the petitioner further submits that he shall support in the trial so that the trial be concluded at the earliest.

Learned A.P.P. has opposed the prayer for bail on the ground that the case is of 2004, the bail granted in this case on the basis of which the petitioner is relying are of 2009, 2010 and

2012 and therefore, prosecution is creating doubt that due to action of the petitioner, there may be delay in the trial also.

In the present facts and circumstances of the case that petitioner is in custody since 22.09.2021 and ready to appear on each and every day of the trial without fail, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohaniya P.S. Case No. 42 of 2004.

The petitioner is directed to file an affidavit that he shall not involve in such type of activities in future. He shall physically appear before trial Court on every date.

The prosecution is at liberty to move for cancellation of his bail, in case he found in such type of activities again. The Court shall cancel his bail bond, in case the petitioner shall fail to appear on two consecutive date or the Trial Court feels that due to action of the petitioner, there is delay in the trial.

Accordingly, the bail application is allowed.

(Dr. Anshuman, J.)

ravishankar/-

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