

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12752 of 2022

Arising Out of PS. Case No.-233 Year-2020 Thana- GHORASAHAN District- East
Champaran

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Ranjay Kumar @ Mukesh Kumar, Son of Virendra Singh, R/o Village-
Kumhrar, P.S.- Fenhara, District- East Chamapran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-09-2022 Learned counsel for the petitioner shall remove all the

defects pointed out by the stamp reporter within three weeks

from today.

Heard learned counsel for the petitioner and learned

APP for the State.

This is the second attempt of the petitioner to obtain

bail in connection with Ghorasahan P.S. Case.No. 233 of 2020

registered for the offences under Sections 399, 402 and 414 of

the Indian Penal Code and Sections 25(1-b)a, 26/35 of the Arms

Act. Petitioner has got five criminal antecedents. He is in

custody since 20.06.2020.

Learned counsel for the petitioner submits that in the

present case the charges have been framed on 12.04.2022 but

thereafter no prosecution witness has turned up and the trial is



still pending. In the meantime, the petitioner has remained in custody for more than two years three months and at this stage the trial is not likely to be concluded, therefore, the petitioner deserves privilege of bail.

Learned APP for the State has though opposed the prayer for bail of the petitioner but considering the period of custody already suffered by the petitioner and that the trial has not progressed during last six months approximately after framing of charge and there is no chance of conclusion of trial in near future and there being no submission on behalf of the State that release of the petitioner is likely to result in tampering with the evidence or interfering with the course of trial, this Court directs release of the petitioner above named on bail on furnishing bail bonds 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-XII, East Champaran at Motihari in connection with S.Tr.No.18 of 2021, arising out of Ghorasahan P.S. Case No.233 of 2020, subject to the conditions 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.

Certified copy of the order will be made available only after removal of the defects.

(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'.

