

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11602 of 2022

Arising Out of PS. Case No.-1108 Year-2019 Thana- NAGAR District- Vaishali

Meghnath Rai @ Jhapsi rai @ Jhapsi Son of Late Jagdish Ray Resident of
Village- Rajsan, P.S.- Bidupur, District- Vaishali.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar Singh, Advocate
For the Opposite Party : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 21-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

This is the third attempt of the petitioner to obtain regular bail in connection with Hajipur P.S. Case No. 1108 of 2019, registered for the offence under Sections 302/201/34 of the Indian Penal Code and 27 of the Arms Act.

Learned counsel for the petitioner submits that earlier prayer for bail was rejected twice vide order dated 29.01.2021 and 05.01.2022 passed in Cr. Misc. Nos. 34088 of 2020 and 63100 of 2021 respectively.

Report received from the learned trial court shows that the wife of the petitioner has already surrendered and the charges have been framed but till date no prosecution witness has turned up and the evidence has not begun.

Learned counsel submits that the petitioner is in



custody since 14.12.2019.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Having regard to the observations of this Court contained in the order dated 29.01.2021 passed in Cr. Misc. No. 34088 of 2020, the fact that the wife of the petitioner has already surrendered and the charges have been framed and further the report of the learned court below showing that till date no prosecution witness has turned up and the evidence has not begun, this Court having noticed that the petitioner has already remained in custody since 14.12.2019 and has only one criminal antecedent as stated in paragraph '3' in which he is said to be on bail, this Court directs release of the above named 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 Additional District and Sessions Judge-XI, Vaishali at Hajipur in connection with S.Tr. No. 196 of 2021 arising out of Hajipur Police Station Case No. 1108 of 2019, 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 steps 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.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

lekhi/-

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'.

