

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11903 of 2022**

Arising Out of PS. Case No.-39 Year-2020 Thana- PURNEA SADAR District- Purnia

Md. Jamaluddin @ Md. Jamal, Son of Md. Mofil Mansuri @ Md. Mofil,
Resident of Village - Karimnagar Jhunni, P.S. - K. Nagar, District - Purnea
(Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Adv.
For the Opposite Party/s : Mr.Md. Fahimudddin, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 31-08-2022 Learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter.

Heard learned counsel for the petitioner and learned
APP for the State.

This is the second attempt of the petitioner to obtain
regular bail in connection with Sessions Trial No.225 of
2021/CIS No.225 of 2021, arising out of Sadar (Mufasil) P.S.
Case No.39 of 2020 registered for the offences punishable under
Section 395 of the Indian Penal Code. He is in custody since
26.01.2020. The petitioner has got four criminal antecedents.

Earlier the prayer for bail of the petitioner was
rejected vide order dated 08.12.2020 passed in
Cr.Misc.No.32589 of 2020 with an observation that if the trial is



not concluded within a period of six months, the petitioner may renew his prayer for bail.

Learned counsel for the petitioner submits that since the date of last rejection only charge has been framed and no witness has been examined till date. Learned counsel submits that the petitioner is in custody since 26.01.2020 and the trial is not likely to be concluded in near future.

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

Having regard to submissions in this case that till date only charge has been framed, but no witness has been examined, this Court in its order dated 08.12.2020 had granted liberty to the petitioner to move this Court if the trial is not concluded within a period of six months and further that the petitioner has remained in custody in connection with this case since 26.01.2020, 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-X, Purnea in connection with Sessions Trial No.225 of 2021/CIS No.225 of 2021, arising out of Sadar (Mufasil) P.S. Case No.39 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'.

