

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13306 of 2022

Arising Out of PS. Case No.-37 Year-2020 Thana- FALKA District- Katihar

ANIL RISHI S/o Late Ramu Rishi R/o Amol (South), P.S.- Falka, District-
Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 12-10-2022 Learned counsel for the petitioner shall remove all the
S.R. defect(s) within four weeks from today.

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

This is the second attempt of the petitioner to seek
regular bail in connection with Falka P.S. Case No. 37 of 2020
registered for the offences punishable under Sections 302 and
201 of the Indian Penal Code. The petitioner is in custody since
07.02.2020. He has no criminal antecedent.

Learned counsel for the petitioner submits that earlier
prayer for bail of the petitioner was rejected vide order dated
05.04.2021 passed in Cr. Misc. No. 39138 of 2020 granting
liberty to renew his prayer for bail if the trial remains
unconcluded for no reasons attributable to the petitioner for a
period of nine months. It is submitted that the petitioner is in



custody since 07.02.2020.

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

Having regard to the submission that the petitioner is in custody since 07.02.2020 and as per the observations of this Court in its order dated 05.04.2021 passed in Cr. Misc. No. 39138 of 2020, the trial could not be concluded within the given period of nine months despite there being no fault on the part of the petitioner, this Court directs release of the petitioner on bail on furnishing of bail bond of Rs.25,000/- (Twenty Five Thousand Rupees only) with two sureties of the like amount each to the satisfaction of learned A.D.J-V, Katihar in S.T. No. 222 of 2020 arising out of Falka P.S. Case No. 37 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'.

