

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16730 of 2022

Arising Out of PS. Case No.-95 Year-2001 Thana- HAJIPUR SADAR District- Vaishali

JAGGA THAKUR @ JAGDISH THAKUR Son of Sineshwar Thakur
Resident of Village - Kuari Chauk, P.S.- Ganga Brige, District - Vaishali.
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Adv.

For the Opposite Party/s : Mr.Syed Ehteshamuddin,A.P.P.

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 Hajipur Sadar P.S. Case No.95/2001 (S.Tr.No.441 of 2003) registered for the offences under Sections 224, 225, 307, 120(B) of the Indian Penal Code and Section 27 of the Arms Act. The petitioner has no criminal antecedents. He is in custody since 13.09.2020.

Earlier the prayer for bail of the petitioner was rejected vide order dated 20.05.2021 passed in Cr.Misc.No.10469 of 2021 with a direction to conclude the trial preferably within a period of nine months as soon as after the



normalcy restored in the trial court's functioning.

Learned counsel for the petitioner submits the petitioner is in custody since 13.09.2020 but the trial has not progressed despite the order dated 20.05.2021 passed in Cr. Misc. No. 10469 of 2021 and the liberty was granted to the petitioner to renew his prayer for bail if the trial is not concluded within a period of nine months.

Learned APP for the State has though opposed the prayer for bail of the petitioner but does not dispute the aforesaid submission.

Having regard to the submission that even though the petitioner is in custody since 13.09.2020, the trial has not progressed and further that this Court in its previous order dated 20.05.2021 passed in Cr. Misc. No. 10469 of 2021 had granted liberty to the petitioner to renew his prayer for bail if the trial is not concluded within a period of nine months, 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 District & Sessions Judge-XI, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No.95/2001 (S.Tr.No.441 of 2003), 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'.

