

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19608 of 2022

Arising Out of PS. Case No.-443 Year-2020 Thana- BIHPUR District- Bhagalpur

MD. JAHANGIR RAIYEEN @ ALAM, S/o Md. Jainul Raiyeen @ Md. Jalaluddin @ Rayeen, R/o village- Bikrampur, P.S.- Bihpur, District- Bhagalpur, Presently posted as Madarsa Teacher at Prathmik Vidhalaya, Rayeen Tola, Bikrampur, P.S.- Bihpur, District- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. V.N.P. Sinha, Sr. Advocate Mr. Md. Najmul Hodda, Advocate
For the Opposite Party/s	:	Mr.Md. Fahimuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 07-12-2022 Heard learned Senior Counsel for the petitioner and Mr. Md. Fahimuddin, learned A.P.P. for the State.

This is the second attempt of the petitioner to obtain regular bail in connection with Bihpur (Jhandapur) P.S. Case No. 443 of 2020 registered for the offence under Sections 302/34 of the Indian Penal Code. Petitioner has no criminal antecedent.

Earlier, prayer for bail of the petitioner was rejected by this Court vide order dated 27.09.2021 passed in Cr. Misc. No. 17946 of 2021.

Learned Senior Counsel for the petitioner submits that the petitioner is in custody since 04.11.2020 and charge has already been framed against him.

Learned APP for the State has opposed the prayer for bail



of the petitioner.

Having regard to the facts and circumstances of the case wherein the petitioner has remained in custody for more than two years and charge has already been framed in this case, at this stage, there is 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 on bail on furnishing bail bonds of Rs. 25,000/- (Twenty Five Thousand Rupees Only) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Naugachia in S.T. No. 214 of 2021 arising out of Bihpur (Jhandapur) P.S. Case No. 443 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 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 disposed of.

(Rajeev Ranjan Prasad, J)

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