

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24417 of 2022

Arising Out of PS. Case No.-243 Year-2019 Thana- SHEOHAR District- Sheohar

Birendra Ray @ Birendra Kumar Son Of Ramlakhan Ray R/O Village- Turki
Noonfar, P.S.- Minapur, District - Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Ms. Rina Sinha, Advocate
For the Opposite Party : Mr. Jai Narain Thakur, APP

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 Sheohar P.S. Case No. 243/2019
registered for the offence under Section 395 of the Indian Penal
Code. The petitioner has no criminal antecedent. He is in
custody since 27.11.2020.

Earlier the prayer for bail of the petitioner was
rejected vide order dated 29.09.2021 passed in Cr. Misc. No.
16129 of 2021 with a direction to the learned court below to
expedite the trial.

Learned counsel for the petitioner submits that the



petitioner has remained in custody for two years, and the trial is not likely to be concluded in near future.

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 observations of this Court contained in order dated 29.09.2021 passed in Cr. Misc. No. 16129 of 2021 granting liberty to the petitioner to renew his prayer for bail if the trial is not concluded within a period of six months but the submission being that till date the trial has not progressed, 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 C.J.M., Sheohar in connection with Sheohar P.S. Case No.243/2019, 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'.

