

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27454 of 2022

Arising Out of PS. Case No.-899 Year-2019 Thana- LAKHISARAI District- Lakhisarai

Sidharth Mahto S/o Guruchharan Mahto R/o village- Bilauri, P.S.- Lakhisarai,
Distt.- Lakhisarai Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhim Sen Prasad, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-11-2022 Learned counsel for the petitioner shall remove all the defects as pointed out by office within three weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

This is the second attempt of the petitioner to obtain regular bail in connection with Lakhisarai P.S. Case No. 899 of 2019 registered for the offences punishable under Sections 341, 323, 324, 354(A), 354(B), 379, 307, 34 of the Indian Penal Code. He is in custody since 04.12.2020. The petitioner has got one criminal antecedent in which he has been acquitted.

Earlier prayer for regular bail of the petitioner was rejected vide order dated 08.09.2021 passed in Cr. Misc. No. 14531 of 2021 with observation that if the trial is not concluded within a period of 9 months from the date of communication of this order petitioner may renew his prayer for bail.

Learned counsel for the petitioner submits that the petitioner is in custody since 04.12.2020 and the trial is not



progressing well.

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

Having regard to the liberty granted to the petitioner and the submission that he is in custody since 04.12.2020 and the trial has not yet been concluded, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned ADJ-III, Lakhisarai in connection with Lakhisarai P.S. Case No. 899 of 2019 in Sessions Trial No. 63 of 2021, subject to the condition 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.

Certified copy of this application shall 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'.

