

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32213 of 2022

Arising Out of PS. Case No.-635 Year-2019 Thana- PATRAKARNAGAR District- Patna

Shailesh Kumar @ Chottu Son of - Ramadhar Prasad Singh @ Ramadhar Singh Resident of Mohalla- Hanuman Nagar, P.S.- Patrakar Nagar, District- Patna. At Present residing at Mohalla - Budha Nagar, Road No. -2, Postal Park, P.S. - Kankarbagh, Town/District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 21-09-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

The petitioner, who is in custody since 25.06.2021, has renewed his prayer for bail in connection with Patrakar Nagar P.S. Case No. 635 of 2019 having earlier been rejected by order dated 23.02.2022 in Criminal Miscellaneous No. 45405 of 2021.

Learned counsel for the petitioner submits that in fact the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation. He further



submits that nothing has been recovered from the possession of the petitioner.

Vide order dated 31.08.2022, a report was called for with regard to the stage of the trial. The report reveals that the charge was framed against the petitioner on 15.03.2022 and the case is fixed for evidence of witnesses.

Learned counsel for the petitioner submits that in view of the report of the learned trial court that there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 25.06.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries four more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Patrakar Nagar P.S. Case No. 635 of 2019, with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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.

(Rajesh Kumar Verma, J)

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