

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36582 of 2022

Arising Out of PS. Case No.-217 Year-2019 Thana- BHAGWANPUR District- Vaishali

DAMODAR RAI S/o Raghunandan Ray @ Raghunandan Ram R/o Village -
Manua, P.S. Hajipur Sadar, District - Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravish Mishra, Advocate

For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 14-12-2022 Heard learned counsel for the petitioner and Mr.
Rajendra Singh, learned APP for the State.

This is second attempt of the petitioner to obtain bail in connection with Bhagwanpur P.S. Case No. 217/2019 registered for the offences under Section 392 of the Indian Penal Code. He is in custody since 25.03.2020.

Learned counsel for the petitioner submits that earlier the prayer for bail of the petitioner was rejected vide order dated 26.08.2021 passed in Cr. Misc. No. 23362/2021. The petitioner was granted liberty to renew his prayer for bail if the trial is not completed within a period of nine months. He is in custody since 25.03.2020. Learned counsel further submits that even as the petitioner has got seven criminal antecedents but he is on bail in all the cases.

Considering the aforesaid submissions and finding



that the petitioner has already remained in custody for more than two and half years by now and till date the charge has not been framed, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-V, Vaishali at Hazipur in connection with Bhagwanpur P.S. Case No. 217 of 2019 having Sessions Trial No. 35/2021, 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 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.

(Rajeev Ranjan Prasad, J)

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