

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37902 of 2022

Arising Out of PS. Case No.-164 Year-2020 Thana- MUSAHARI District- Muzaffarpur

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Anand Pandey Son of Rajeshwar Pandey Resident of Village - Teghra, P.S. -
Manjhi, District - Saran (Chhapra). Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Ms. Jyotsna Rani Mishra, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 21-12-2022 Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned APP for the State.

This is the second attempt of the petitioner to obtain bail in connection with Mushahari P.S. Case No. 164 of 2020 registered for the offence punishable under Section 392 IPC. The petitioner has got two criminal antecedents.

Earlier, the prayer for bail of the petitioner was rejected by this Court vide order dated 25.08.2021 passed in Cr. Misc. No. 12915 of 2021. Liberty was granted to the petitioner to move afresh, if the trial is not concluded within a period of nine months for no reason attributable to the petitioner.

Learned counsel for the petitioner submits that the trial has yet not concluded despite lapse of more than one year four months from the date of earlier rejection. It is further submitted that in the meantime, the informant has been



examined, he has not identified the petitioner in course of trial.

Be that as it may, considering that this Court had granted liberty to the petitioner to move afresh and he has remained in custody in connection with this case since 27.09.2020, 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 Additional Chief Judicial Magistrate-X, Muzaffarpur in connection with Mushahari P.S. Case No. 164 of 2020, 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.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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