

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52480 of 2021

Arising Out of PS. Case No.-19 Year-2017 Thana- BHADHWAR District- Gaya

Jamuna Basfor @ Jamuan Basfor, Son Of Late Chandradeo Basfor R/O
Village- Beni Nagar, P.S.- Bhadwar, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh, Adv.
For the Opposite Party/s : Mr.Dinesh Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-03-2022 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 the learned A.P.P. for the State.

The petitioner seeks bail in connection with Session Tr. No. 199 of 2020 arising out of Bhadwar P.S. Case No. 19 of 2017, registered for the offence under Sections 302/34 of the IPC.

Allegation against the petitioner is that he along with other accused persons assaulted the husband of the informant due to which he sustained injuries and died.

Earlier, the bail petition of the petitioner was rejected twice in Cr. Misc. No. 23737 of 2019 and Cr. Misc. No. 15947



of 2020 has rejected with an observation that if the trial is not concluded within a period of nine months, the petitioner is at liberty to renew the prayer for bail.

Learned counsel for the petitioner submits that, vide order dated 06.01.2022, a report was called for regarding present stage of the trial. The report reveals that the charge was framed on 08.01.2020 under Sections 302/34 of the IPC against the petitioner and other accused persons. The report further reveals that till date no prosecution evidence has been adduced.

In view of the stage of trial report, learned counsel for the petitioner submits that it appears from the report that near future trial is not concluded and the petitioner is in custody since 04.09.2018.

Learned counsel for the State opposes the prayer for bail petition and submits that petitioner has clean antecedent.

Considering the fact and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 1st, Gaya, in connection with Session Tr. No. 199 of 2020 arising out of Bhadwar P.S. Case No. 19 of 2017 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

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.

(Rajesh Kumar Verma, J)

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