

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3671 of 2021**

Arising Out of PS. Case No.-31 Year-2020 Thana- MAIGRA District- Gaya

Ranjeet Thakur Son Of Late Dwarika Thakur R/O Moktarganj, P.S.- Maigra,
Dist.- Gaya - 824206 (Bihar)

... .. Appellant

Versus

1. The State Of Bihar
2. Savita Devi Late Ram Dayal Rajak R/O Village-Harni, P.S.-Maigra, District-Gaya

... .. Opposite Parties

Appearance :

For the Appellant/s	:	Mr. Tilak Sao, Advocate
For the Respondent/s	:	Mr. Md. Fahimuddin, APP
For the Informant	:	Mr. Kanishk Kaustubh, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

8 21-12-2022 Heard learned counsel for the appellant and learned counsel for the informant as also Mr. Md. Fahimuddin, learned APP for the State.

I.A. No. 1 of 2022

For the reasons stated in the application, the delay in filing of this appeal stands condoned.

I.A. No.1 of 2022 stands allowed.

Learned counsel for the appellant submits that in fact the appellant was granted bail by this Court vide order dated 01.07.2021 in Cr. App. (SJ) No. 1653 of 2021 (Annexure '1') but he could not be released on bail because of the condition imposed therein which reads as under:-

“And further condition that the court below shall verify the criminal antecedent of the



appellant and in case at any stage it is found that the appellant has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the appellant. 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. ”

Learned counsel submits that inadvertently, the appellant had not disclosed that there are two cases pending against him. He had disclosed about only one case but at this stage, he has correctly stated about both the cases in paragraph ‘3’ of this appeal.

Learned counsel submits that under these circumstances, despite the appellant having been granted bail has remained in custody for more than one year.

Learned counsel for the informant does not oppose the same.

In these circumstances, this Court directs that the appellant abovenamed be released on bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST Act, Gaya in connection with Maigra P.S. Case No. 31 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 appellant and in case at any stage it is found that the appellant has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the appellant. 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 appeal is allowed.

(Rajeev Ranjan Prasad, J)

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