

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.66948 of 2021**

Arising Out of PS. Case No.-127 Year-2017 Thana- MAHISHI District- Saharsa

Shrawan Kumar @ Sharwan Kumar S/O Baijnath Mandal R/O Village-
Rajpur, P.S.- Pipra, District- Supaul

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Arun, Advocate
For the Opposite Party/s	:	Mr. Akhileshwar Dayal, APP
For the Informant	:	Mr. Anil Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-05-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by the Stamp Reporter within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner, learned counsel for the informant and Mr. Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case has renewed his prayer for regular bail in connection with Maheshi P.S. Case No. 127 of 2017 registered for the offences punishable under Sections 366/34 of the Indian Penal Code. He is in custody since 14.08.2017.

Learned counsel for the petitioner has drawn the attention of this Court towards the earlier rejection order dated 24.09.2018 passed in Cr. Misc. No. 42205 of 2018. It is stated



that the petitioner has now remained in custody for a little less than 5 years which would be almost half of the sentence if at all the petitioner is found guilty of the offence alleged.

Learned counsel further submits that till date the prosecution case has not opened in the trial.

Learned APP for the State as well as learned counsel for the informant have though opposed the prayer for bail of the petitioner but considering the facts and circumstances of the case and that the petitioner has remained in custody for a little less than 5 years approximately but till date trial has not been concluded, the petitioner has got one criminal antecedent in which he is on bail, therefore, this Court directs release of the petitioner above named 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 Sessions Judge-IV, Saharsa in connection with Maheshi P.S. Case No. 127 of 2017, subject to the conditions 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

