

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.327 of 2022

Arising Out of PS. Case No.-67 Year-2018 Thana- BASANHI District- Saharsa

MANJOOR ALAM @ MANSOOR SAH @ MANJUR SAH @ MD.
MANSUR SAH @ MANJOOR SAH Son of Late Naemuddin Resident of
Village - Tehra Fudki Chak, Ward no.08, P.S.- Basnahi, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate

For the Opposite Party/s : Ms.Madhuri Lata,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 16-08-2022 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 learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 302, 34 of the IPC and Section 27 of Arms Act.

Earlier the prayer for bail of the petitioner was twice rejected vide order dated 01.04.2019 and 08.06.2020 passed in Cr. Misc. No.3077 of 2019 and Cr.Misc. No.14108 of 2020.

Vide order dated 11.05.2022, a report was called for with regard to the present status of the trial. Report dated



19.07.2022 reveals that the charge was framed on 03.01.2020 and till date no witness has been examined as yet.

Learned counsel for the petitioner submits that in view of the report there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 16.07.2018. Further submits that the petitioner has got no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts 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 Court below where the case is pending in connection with S.T.No.182 of 2018 arising out of Basnahi P.S. Case No.67 of 2018, 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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