

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70709 of 2022

Arising Out of PS. Case No.-343 Year-2019 Thana- RIVILGANJ District- Saran

Bhim Singh @ Rakesh Singh S/o Mukur Singh R/v- Nayaka Barka Baiju
Tola, P.S.- Rivilganj, District- Saran at Chapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-12-2022 This case has been taken up for consideration out of turn at the request of learned counsel for the petitioner pointing out that earlier this petitioner had filed this application under wrong advice seeking modification of the order which was permitted to be withdrawn with liberty to file a fresh application.

This is the second attempt of the petitioner to obtain regular bail in connection with Rivilganj P.S. Case No. 343 of 2019 registered for the offences punishable under Sections 188, 272, 34 of the Indian Penal Code and Section 30, 38, 41 of the Bihar Prohibition and Excise Act.

At this stage, learned counsel for the petitioner submits that the petitioner has remained in custody since 11.01.2021 in connection with this case and out of ten cases stated in paragraph '3' of this application, the petitioner is on bail in seven cases.

Although learned APP for the State has opposed this application but admits that the petitioner has remained in jail for over



one year eleven months, hence, this application must be considered for bail.

Considering the facts and circumstances of the case, the custody of the petitioner being more than one year eleven months and the fact that in seven cases at least he has been granted bail, 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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra in connection with Rivilganj P.S. Case No. 343 of 2019, 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 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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