

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5783 of 2023

Arising Out of PS. Case No.-233 Year-2019 Thana- KANKARBAG District- Patna

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Anuj Kumar @ Anuj Singh @ Tuktuk @ Chotu (Male) aged about 25 years,
S/O Nagendra Singh, Residence of village- Sukhnandan Chak, P.S.-
Jehanabad, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Kumari Sujata Sinha, Advocate

For the Opposite Party/s : Ms. Gulnar Begum, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

9 08-12-2023 Heard Ms. Kumari Sujata Sinha, learned counsel

appearing on behalf of the petitioner and Ms. Gulnar Begum,

learned APP for the State.

2. Petitioner, who is in custody since 07.09.2019,

seeks regular bail in connection with Session Trial No. 1019 of

2019 arising out of Kankarbagh P.S. Case No. 233 of 2019

registered for offences punishable under Sections 395 and 397

of the Indian Penal Code.

3. Learned counsel appearing on behalf of the

petitioner submitted that the bail application of the petitioner

was earlier rejected vide order dated 15.04.2022 passed in

Criminal Miscellaneous No. 53156 of 2021. It is further

submitted that the trial has not progressed and in changed



circumstances, prayer for grant of bail has been renewed. Petitioner is accused in nine other criminal cases and in this regard, the details are in paragraph no. 3 of the bail application. It has been submitted that the petitioner undertakes that he will not involve in criminal activities in future and to that effect he is ready to file his personal affidavit along with two respectable persons of the area where he resides.

4. Learned A.P.P., for the State submitted that charges have not been framed.

5. Considering the nature of allegation, as well as, the fact that no substantial progress has taken in conduct of trial, the petitioner has nine criminal antecedents, however, he is ready to give his undertaking by filing affidavit along with two respectable persons of the area where he resides. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on bail.

6. If such affidavit is filed, the petitioner, above named, is directed to be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Session Judge II, Patna, in connection with Session Trial No. 1019 of 2019 arising out of Kankarbagh



P.S. Case No. 233 of 2019 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

7. In case, the petitioner is required custody in any other criminal cases pending against him, the trial Court may verify the same.

(Purnendu Singh, J)

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