

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28112 of 2023**

Arising Out of PS. Case No.-58 Year-2009 Thana- RAJIVNAGAR District- Patna

Nandlal Paswan @ Nand Lal @ Lalwa Son of Sri Ram Narayan Paswan  
Resident of village - Digha Bansh Kothi, Jangalipir, P.S. - Digha, Distt. -  
Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate  
For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

4      17-08-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since 22.12.2022 in connection with Rajeev Nagar P.S. Case No. 58 of 2009, G.R. No.2280, Sessions Trial No.1504 of 2009, F.I.R. dated 12.05.2009 for the offences punishable under Sections 395, 412 of the Indian Penal Code.

3. Earlier the petitioner has been granted bail vide order dated 13.04.2010 passed in Cr. Misc. No. 11219 of 2010 with a condition that if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse of bail. Thereafter, the bail bond of the petitioner was canceled



vide order dated 03.07.2013 passed in Cr. Misc. No.16722 of 2013 and non-bailable warrant was issued against the petitioner by the learned court below and thereafter, the petitioner had not surrendered and lastly the petitioner surrendered before the court below on 20.12.2022.

4. Vide order dated 21.07.2023 a report was called for with regard to the present stage of trial. Report dated 04.08.2023 of the learned trial court reveals that the case is pending for appearance of accused persons and after completion of appearance of all the accused persons the trial of this case may likely to be concluded within one year.

5. Learned counsel for the petitioner submits that in view of the report of the learned trial court that the trial is not likely be concluded in near future and the petitioner is in custody since 22.12.2022.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-XI, Patna in connection with Rajeev Nagar P.S. Case No. 58 of 2009, G.R. No.2280, Sessions Trial No.1504 of 2009, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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