

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37086 of 2022

Arising Out of PS. Case No.-304 Year-2020 Thana- BHAGWAN BAZAR District- Saran

SOHRAM NUT Son of Chiturgun Nut @ Chaturgun Nat @ Langra Nut
Resident of Village - Daudpur Giri Tola, P.s.- Daudpur, Distt.- 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.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 12-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Session Trial No. 218 of 2021 arising out of Bhagwan Bazar P.S. Case No. 304 of 2020 registered for the offences punishable under Section 395 of the Indian Penal Code. He is in custody since 07.09.2020 having five criminal antecedent as stated in paragraph '3' of the application.

Earlier the prayer for bail of the petitioner was rejected vide order dated 21.08.2021 passed in Cr. Misc. No. 10730/2021 (Annexure '1') with a direction to the learned trial court to conclude the trial within a period of nine months from the date of start of physical functioning of the court and with the liberty to the petitioner that if the trial remains un-concluded



during the aforesaid period for no reason attributable to the petitioner, he may renew his prayer for bail.

Learned counsel for the petitioner submits that in this case the charge has not been framed till date. Learned counsel submits that petitioner has got five criminal antecedents out of which he is on bail in four cases.

Learned counsel for the State has opposed the prayer for bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein it is the observation of this court that the petitioner may renew his prayer for bail after nine months if the trial is not concluded, the charge has yet not been framed, the petitioner has remained in custody since 07.09.2020, he has got five criminal antecedents out of which he is on bail in four cases, this Court directs release of the petitioner above named on bail on furnishing of 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- 1st, Saran at Chapra, in connection with Session Trial No. 218 of 2021 arising out of Bhagwan Bazar P.S. Case No. 304 of 2020, subject to the condition 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.

(Rajeev Ranjan Prasad, J.)

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