

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34848 of 2022

Arising Out of PS. Case No.-193 Year-2019 Thana- RIVILGANJ District- Saran

BHIM SINGH @ RAKESH SINGH Son of Mukur Singh Resident of Village
- Nayaka Barka Baiju Tola, P.s.- Rivilganj, 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.Md.Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-01-2023 Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned A.P.P. for the State.

This is the second attempt of the petitioner to obtain regular bail in connection with Rivilganj P.S. Case No. 193 of 2019 registered for the offences punishable under Sections 188, 272, 34 of the I.P.C. and under Sections 30, 38, 41 of Bihar Prohibition & Excise Act, 2016. He is in custody since 11.01.2021. He has got ten criminal antecedents.

Earlier the prayer for bail of the petitioner was rejected vide order dated 17.08.2021 in Cr. Misc. No. 22698/2021 observing that if the trial is not concluded within a period of nine months from the date of start of physical functioning of the court for no reason attributable to the petitioner, he may renew his prayer for bail.

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

Having regard to the facts and circumstances of the case,



the observation of this Court in the order dated 17.08.2021 passed in Cr. Misc. No. 22698 of 2021 wherein the petitioner was granted liberty to renew his prayer for bail, if the trial is not concluded within a period of nine months, 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. 193 of 2019, 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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