

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34322 of 2022

Arising Out of PS. Case No.-234 Year-2016 Thana- CHAUSA District- Madhepura

Sunil Singh Son of Khantar Singh R/O Village- Khopariya, P.S.- Chausa,
District- Madhepura Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Advocate

For the Opposite Party/s : Mr.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 11-01-2023 Heard learned counsel for the petitioner and Ms.
Shaheen Begum, learned A.P.P. for the State.

This is the second attempt of the petitioner to obtain regular bail in connection with Chausa P.S. Case No. 234 of 2016 registered for the offences punishable under Sections 399, 402 of the I.P.C. and under Section 30(a) of Bihar Prohibition & Excise Act, 2016. He is in custody since 21.08.2020. He has got nine criminal antecedents.

Earlier the prayer for bail of the petitioner was rejected vide order dated 16.08.2021 in Cr. Misc. No. 5547/2021 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 16.08.2021 passed in Cr. Misc. No. 5547 of 2021, the petitioner has remained in custody since 21.08.2020 and he has already been granted bail in all other cases, 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 Additional Sessions Judge-II-cum-Special Judge, Excise, Madhepura in connection with Excise Case No. 456 of 2020 arising out of Chausa P.S. Case No. 234 of 2016, 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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