

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35829 of 2023

Arising Out of PS. Case No.-108 Year-2022 Thana- BARURAJ District- Muzaffarpur

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Ajay Kumar Son of Daya Bhagat @ Baidhnath Bhagat @ Baijnath Prasad
Resident of Village - Manguraha, P.S.- Baruraj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan, Adv.
For the Opposite Party/s : Mr. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 26-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Learned counsel for the petitioner submits that the bail application of the petitioner in connection with N.D.P.S. Case No. 131 of 2022 arising out of Baruraj P.S. Case No. 108 of 2022 dated 04.06.2022 has earlier been rejected vide order dated 21.02.2023 passed in Cr. Misc. No. 55316 of 2022 in which liberty was granted to the petitioner that he may renew his prayer for bail after framing of charge.

3. Learned counsel for the petitioner further submits that charge has been framed in this case on 19.04.2023, which is Annexure-3. Counsel submits that the other co-accused persons have been granted bail by the Co-ordinate Bench of this Court which is Annexure-4.

4. Learned A.P.P. for the State opposes the prayer for bail and submits that from Annexure-3, it transpires that charge has already been framed in this case.

5. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-Ist, Muzaffarpur in connection with N.D.P.S. Case No. 131 of 2022 arising out of Baruraj P.S. Case No. 108 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal

activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

6. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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