

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35350 of 2022

Arising Out of PS. Case No.-48 Year-2020 Thana- NAYAGAON District- Begusarai

MURARI SINGH Son of Ram Bilash Singh Resident of village - Rahatpur,
P.S.- Balia, District - Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 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 Nayagaon Case No. 48 of 2020 registered for the offences punishable under Section 30(a) of Bihar Prohibition & Excise Act, 2016. He is in custody since 01.12.2020. He has got nineteen criminal antecedents.

Earlier the prayer for bail of the petitioner was rejected vide order dated 16.08.2021 in Cr. Misc. No. 18045/2021 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 and the observation of this Court in its order dated 16.08.2021 passed in Cr. Misc. No. 18045 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 Exclusive Excise Judge-I, Begusarai in connection with Nayagaon Case No. 48 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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