

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36729 of 2022

Arising Out of PS. Case No.-218 Year-2020 Thana- BARHIYA District- Lakhisarai

Madan Singh S/O Late Tanik Singh Resident Of Village - Khutahadih P.S.-
Baradiya Distt.- Lakhisarai Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 18-01-2023

Heard learned counsel for the petitioner and learned
APP for the State.

This is the second attempt of the petitioner for obtaining regular bail in connection with Barahiya P.S. Case No. 218 of 2020 registered under Sections 395 and 412 of the Indian Penal Code. He is in custody since 29.09.2020. He has two criminal antecedents.

Earlier the prayer for bail of the petitioner was rejected vide order dated 22.09.2021 in Cr. Misc. No. 16190 of 2021 with an observation that if the trial is not concluded within a period of nine months for no reason attributable to the petitioner, he may renew his prayer for bail.

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

Having regard to the facts and circumstances of the case and the observations of this Court in its order dated 22.09.2021 in Cr. Misc. No. 16190 of 2021 and the fact that the



petitioner is on bail in two cases stated in paragraph '3' of the application and further that the trial of this case is not likely to be concluded in near future, 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 Session Judge, Lakhisarai in connection with Barahiya P.S. Case No. 218 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.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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