

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41102 of 2022

Arising Out of PS. Case No.-108 Year-2020 Thana- BARURAJ District- Muzaffarpur

Mintu Singh @ Mintu Kumar Singh Son of Lalan Singh R/O Village-
Laximiniya, P.S.- Baruraj, District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 12-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

This is the second attempt of the petitioner to obtain regular bail in connection with Baruraj P.S. Case No. 108 of 2020 registered for the offences punishable under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act. The petitioner is in custody since 09.01.2021. He has got six criminal antecedents and in all the six cases he is on bail.

Learned counsel for the petitioner submits that earlier while rejecting the prayer for bail of the petitioner on 04.10.2021 in Cr. Misc. No. 26943 of 2021, this Court had observed that in case the trial is not concluded within a period of nine months for no reason attributable to the petitioner, the petitioner may renew his prayer for bail.



Learned counsel further submits that till date charge has not been framed.

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

Having regard to the earlier observation of this Court in its order dated 04.10.2021 passed in Cr. Misc. No. 26943 of 2021 wherein this Court had given liberty to the petitioner to renew his prayer for bail if the trial remains unconcluded for a period of nine months for no reason attributable to the petitioner, the submission of learned counsel for the petitioner that till date charge has not been framed, petitioner is in custody since 09.01.2021 and that the petitioner is ready to abide by such terms and conditions which may be imposed upon him to secure his presence in course of trial, 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 Special Judge Excise Act, Muzaffarpur in connection with Baruraj P.S. Case No. 108 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 steps 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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