

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41043 of 2022

Arising Out of PS. Case No.-49 Year-2021 Thana- MIRGANJ District- Gopalganj

Sagar Kumar @ Mannu Son of Ravindra Singh @ Rabindra Singh Resident
of village- Dudhara, P.S- Goriakothi, District- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 10-05-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner in the present case has renewed his prayer
for bail in connection with Sessions Trial No. 2341 of 2022
arising out of Mirganj P.S. Case No. 49 of 2021 registered for
the offences under Section 414 and 34 of the Indian Penal Code
and Section 25(1-b)AA/26/35 of the Arms Act. He is in custody
since 10.02.2021. He has one criminal antecedent.

Earlier, his prayer for bail was rejected by this Court
vide order dated 21.02.2022 passed in Cr. Misc. No. 44587 of
2021.

Learned counsel for the petitioner submits that the
petitioner was made an accused in Mirganj P.S. Case No. 48 of
2021 which is a connected case under Sections
364(A)/120(B)/34 of the Indian Penal Code. In the said case, the



petitioner has been granted bail by this Court vide Cr. Misc. No. 42554 of 2021 (Annexure '3').

Learned counsel submits that so far as the present case is concerned, the petitioner has remained in custody since 10.02.2021 and at this stage, only charge has been framed, therefore, the trial is likely to take much time.

Learned APP for the State has, though, opposed the prayer for bail of the petitioner, considering the facts and circumstances of the case wherein in the main case, the petitioner has already been granted bail and so far as the present case is concerned, he has remained in jail for over two years, this Court directs that the petitioner above named shall be released 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 Chief Judicial Magistrate, XV, Gopalganj in connection with Sessions Trial No. 2341 of 2022 arising out of Mirganj P.S. Case No. 49 of 2021, 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.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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