

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44831 of 2022

Arising Out of PS. Case No.-374 Year-2020 Thana- MINAPUR District- Muzaffarpur

Jitendra Ray @ Jitendra Kumar Yadav @ Jitendra Kumar S/o Suraj Rai R/o
village- Kalwari Madhuban, P.S.- Kanti, District- Muzaffarpur ... Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Advocate
Mr. Priyesh Kumar, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 12-04-2023

Heard Mr. Y.C. Verma, learned senior counsel for the petitioner and Ms. Pushpa Sinha, learned APP for the State.

The petitioner in the present case has renewed his prayer for regular bail in connection with Minapur (Panapur O.P.) P.S. Case No. 374 of 2020 registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Sections 30(a) and 41 of the Bihar Prohibition and Excise Amendment Act, 2018. The petitioner is in custody since 08.01.2021. He has six criminal antecedents and in all six cases he is on bail.

Mr. Y.C. Verma, learned senior counsel for the petitioner submits that earlier while rejecting the prayer for bail of the petitioner on 24.09.2021, this Court had observed that in case the trial is not concluded within a period of nine months from the date of receipt/communication of a copy of the order, the petitioner may renew his prayer for bail.

By filing a supplementary affidavit, the petitioner has made a statement that in this case cognizance was taken on 03.08.2021 but till date charge has not been framed by the learned



trial court.

Ms. Pushpa Sinha, learned APP for the State does not dispute the contention of learned senior counsel for the petitioner. It is also pointed out that the petitioner is on bail in all the six cases stated in paragraph '3' of the application.

In the aforesaid view of the matter, considering that the petitioner has already remained in custody since 8th January, 2021 and till date the charge has not been framed, 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, Muzaffarpur in connection with Minapur (Panapur O.P.) P.S. Case No. 374 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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