

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45265 of 2022

Arising Out of PS. Case No.-98 Year-2020 Thana- KHUTAUNA District- Madhubani

Ram Jugat Gupta @ Ram Yugut Gupta Son of Late Ghansi Gupta Resident of
Village - Murarpatti, P.S.- Khutauna, Distt.- Madhubani. Petitioner
Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Lakshmindra Kumar Yadav, Advocate
	Mr. Prabh Narayan Prabhakar, Advocate
For the Opposite Party/s :	Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 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 Khutauna P.S. Case No. 98 of 2020 registered for the offences punishable under Sections 341, 323, 307, 427, 506, 504/34 of the Indian Penal Code and Section 27 of the Arms Act. The petitioner is in custody since 08.08.2020. He has got four criminal antecedents and in all the four cases, he is on bail as stated in paragraph '3' of the application.

Learned counsel for the petitioner submits that earlier while rejecting the prayer for bail of the petitioner on 24.09.2021 in Cr. Misc. No. 17883 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 after framing of charge not a single witness has turned up on behalf of prosecution.

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 24.09.2021 passed in Cr. Misc. No. 17883 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 after framing of charge not a single witness has turned up on behalf of prosecution 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 Assistant Sessions Judge, Jhanjharpur, District-Madhubani in connection with Khutauna P.S. Case No. 98 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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