

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46588 of 2023

Arising Out of PS. Case No.-247 Year-2020 Thana- MINAPUR District- Muzaffarpur

Arvind Kumar, S/O Ram Bahadur Sah, Ro Village Methnapur, Ps Meenapur,
District Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Paswan, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 22-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Minapur P.S. Case No. 247/2020 lodged on 04.07.2020 under
Section 399, 402 of the Indian Penal Code and Section 25(1-
B)a/26/35 of the Arms Act.

3. Earlier, the prayer for bail of the petitioner has been
rejected twice vide order dated 21.05.2021 passed in Criminal
Miscellaneous No. 1239 of 2021 and vide order dated
17.11.2022 passed in Criminal Miscellaneous No. 37864 of
2022.

4. Learned counsel for the petitioner submits that
lastly while rejecting the prayer for bail of the petitioner liberty
was granted to the petitioner to renew his prayer for bail afetr



lapse of six months of the date of framing of charge. The charge has already been framed in this case on 08.09.2022 and six months time period has already been lapsed. The petitioner is in custody since 04.07.2020 and a statement has been made in paragraph no.3 of the petition that petitioner is accused in five more cases, but in all the cases, he has been granted bail.

5. Learned counsel for the State opposes the prayer for bail and submits that though after framing of charge six months have been lapsed, but at time of granting bail to the petitioner, the criminal antecedent must be taken into consideration.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-XIth, Muzaffapur in connection with Meenapur P.S. Case No.247/2020 (Sessions Trial Case No. 122/2022), subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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