

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48522 of 2022

Arising Out of PS. Case No.-223 Year-2020 Thana- DEHRI TOWN District- Rohtas

VIKASH KUMAR @ VIKASH PRAJAPATI @ VICKY PRAJAPATI S/o
Dilip Prajapati Resident of Village- Jhabramal Gali, Ward No.32, P.s.- Dihari
Town, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umeshanand Pandit, Adv.

For the Opposite Party/s : Mr.Ajay Kumar Jha, 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 Dihari (Town) P.S. Case No. 223 of 2020 registered for the offences punishable under Sections 307 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act. The petitioner is in custody since 19.03.2020. He has got two criminal antecedents.

Learned counsel for the petitioner submits that earlier while rejecting the prayer for bail of the petitioner on 3.8.2021 in Cr. Misc. No. 19548 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 the trial has not been concluded and it is not likely to be concluded in near future.

Having regard to the submission that the petitioner is in custody since 19.03.2020 and despite the observations of this Court contained in its order dated 3.8.2021 passed in Cr. Misc. No. 19548 of 2021, the trial has not been concluded and it is not likely to be concluded in near future, 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 18th Additional Sessions Judge, Rohtas at Sasaram in connection with Dehri (Town) P.S. Case No. 223 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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