

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49462 of 2023

In
CRIMINAL MISCELLANEOUS No.56530 of 2022

Arising Out of PS. Case No.-268 Year-2022 Thana- SIDHWALIYA District- Gopalganj

Jitendra Kumar Singh Son of Krishna Singh Resident of village - Larauli, P.S.
- Sidhwaliya, Distt. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 25.07.2022 in connection with Sidhwalia P.S. Case No. 268 of 2022, F.I.R. dated 23.07.2022 for the offences punishable under Sections 420, 413, 414, 468, 469, 470, 471/34 of the Indian Penal Code.

3. Earlier the regular bail application of the petitioner was rejected vide order dated 23.12.2022 passed in Cr. Misc. No. 56530 of 2022.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the police



after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 25.07.2022.

5. Vide order dated 08.08.2023 a report was called with regard to the present stage of trial. Report of the learned Trial Court dated 28.08.2023 reveals that the accused, namely, Jitendra Kumar Singh (petitioner) is in custody and summon has been issued against the rest accused persons to secure their appearance for commitment of the case.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. In view of the report of the learned Trial Court, let the petitioner, above named, be released on bail **after framing of charge** and on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gopalganj in connection with Sidhwalia P.S. Case No. 268 of 2022, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 step 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.

(Rajesh Kumar Verma, J)

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