

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49220 of 2023

Arising Out of PS. Case No.-339 Year-2022 Thana- ARA NAGAR District- Bhojpur

Brajesh Kumar @ Brajesh Yadav @ Baja, Son Of Late Dawarka Rai Resident
Of Village- Jamira, P.S.- Ara Muffasil, Distt- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No.2, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 03-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Ara Nagar P.S. Case No. 339 of 2022, lodged on 14.04.2022
under Sections 307/34 of the Indian Penal Code and under
section 27 of Arms Act.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner was rejected vide order dated
21.02.2023 passed in Cr. Misc. No. 58756 of 2022. He also
submits that at the time of rejection, liberty was granted to the
petitioner that he may renew his prayer for bail 4 months after
framing of charge. He further submits that the charge has been
framed in this case on 15.06.2023 and 4 months have already
passed.



4. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the charge has already been framed.

5. 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 learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Nagar P.S. Case No. 339 of 2022, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as 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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