

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51153 of 2022

Arising Out of PS. Case No.-24 Year-2017 Thana- KHAGARIA District- Khagaria

BABLU TIWARI @ VIKASH TIWARI @ VIKASH KUMAR Son of Dinesh
Tiware R/V- Durgapur, P.S- Muffasil, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Alok Kr. Alok, Adv.
	:	Mr.Arjun Prasad, Adv.
For the Opposite Party/s	:	Mr.Ram Priya Sharan 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 Khagaria (Muffasil) P.S. Case No. 24 of 2017 registered for the offences punishable under Sections 341, 324, 307, 504/34 of the Indian Penal Code and Section 27 of the Arms Act. The petitioner is in custody since 20.2.2021. He has got no criminal antecedent 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 21.2.2022 in Cr. Misc. No. 45076 of 2021, this Court had observed that in case the trial is not concluded within a period of



six months for no reason attributable to the petitioner, the petitioner may renew his prayer for bail.

Learned counsel further submits that in this case charge was framed on 22.07.2022 but till date no witness has been examined.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submission in this case, the charge was framed on 22.7.2022 but till date no witness has been examined and that this Court in its order dated 21.2.2022 passed in Cr. Misc. No. 45076 of 2021 had granted liberty to the petitioner to renew his prayer for bail if the trial is not concluded within a period of six months, 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 Ms. Alka Ray, learned Judicial Magistrate, 1st Class, Khagaria, in connection with Khagaria (Muffasil) P.S. Case No. 24 of 2017, GR No.03/2017, 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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