

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52968 of 2023

Arising Out of PS. Case No.-534 Year-2021 Thana- SHERGHATI District- Gaya

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Anil Mandal S/o Late Dwarika Mandal Resident of Village-Hananganj, P.S.-
Sherghati, Distt-Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 22-09-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Sessions Trial No. 1091 of 2023 corresponding to Sherghati P.S.
Case No. 534 of 2021 dated 28.08.2021, lodged under Sections
302/ 34 of the I.P.C.

4. Learned counsel for the petitioner submits that the
bail application of the petitioner has earlier been rejected vide
order dated 25.07.2022 passed in Cr. Misc. No. 20440 of 2022
with a direction to the Trial Court to expedite the trial and
conclude the prayer for bail after one year.

5. Learned counsel for the petitioner further submits

that presently, the cognizance has been taken under Section 304 of the I.P.C. only and there is no chance of conclusion of the trial.

6. Learned counsel for the State opposes the prayer for bail and submits that it is true that cognizance has been taken under Section 304 of the I.P.C. only.

7. 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 Only) with two sureties of the like amount each to the satisfaction of learned A.D.J., Sherghati at Gaya in connection with Sessions Trial No. 1091 of 2023, corresponding to Sherghati P.S. Case No. 534 of 2021, 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.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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