

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53155 of 2022

Arising Out of PS. Case No.-63 Year-2016 Thana- PARSABAZAR District- Patna

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Santosh Kumar @ Mamu S/O Shrawan Paswan @ Sarwan Paswan @ Sharvan
Paswan Resident of Asio Lacchiram, P.S.- Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 11-01-2023 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

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

The petitioner seeks bail in a case registered for the
offence under Section 392 of IPC.

Earlier the prayer for bail of the petitioner was twice
rejected vide order dated 26.11.2021 passed in Cr. Misc. No.
23376 of 2021 and order dated 27.07.2022 passed in Cr. Misc.
No. 35224 of 2022.

Vide order dated 12.10.2022 a report was called for
with regard to the present status of the trial. Report dated
19.12.2022 reveals that the charge has been framed against the



petitioner on 26.03.2021 and record was fixed for evidence and till date only one witness has been examined.

Learned counsel for the petitioner submits that in view of the report of the learned Trial Court that there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 09.09.2020.

Considering the aforesaid facts and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Parsa Bazar P.S.Case No.63 of 2016 with the following conditions:-

(1) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

(3) 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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