

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57573 of 2023

Arising Out of PS. Case No.-96 Year-2022 Thana- ARARIA District- Araria

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Ehtesham @ Ehtesham Alam @ Aihatsham, son of Mohiuddin Village-
Belbari Ward no-15, P.S.- Baigachi Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 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
Araria (Baigachhi) P.S. Case No. 96 of 2022, lodged on
01.02.2022 under Section 394 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner was rejected vide order dated
10.11.2022 passed in Cr. Misc. No. 24573 of 2022 along with
Cr. Misc. No. 30562 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 6 months after framing of charge. He further
submits that the charge has been framed in this case on
29.11.2022 and 6 months have already been lapsed.

4. Learned APP for the State opposes the prayer for



bail of the petitioner and submits that the charge has been framed and 6 months have already been lapsed.

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, Araria in connection with Araria (Bairgachhi) P.S. Case No. 96 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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