

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64063 of 2023

Arising Out of PS. Case No.-93 Year-2018 Thana- AAYAR District- Bhojpur

Bindeshwari Singh Son Of Late Mahangu Singh Resident Of Village -
Mahathin Tola, Police Station - Ayar, District - Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-10-2023 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. 434 of 2023 arising out of Aayar P.S. Case
No. 93 of 2018 dated 31.12.2018, lodged under Sections 302,
506/ 34 of the I.P.C. read with Section 27 of the Arms Act.

4. Learned counsel for the petitioner submits that the
bail application of the petitioner has earlier been rejected vide
order dated 10.05.2023 passed in Cr. Misc. No. 16139 of 2023
in which liberty was granted to him to renew his prayer for bail
after framing of charge.

5. Learned counsel for the petitioner further submits

that the charge has already been framed in this case on 11.08.2023 and one month has been lapsed.

6. Learned counsel for the State opposes the prayer for bail and submits that it is true that the charge has already been framed in this case. Counsel further submits that the antecedent of the petitioner is not clean.

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 8th Additional Sessions Judge, Bhojpur at Ara in connection with Sessions Trial No. 434 of 2023 arising out of Aayar P.S. Case No. 93 of 2018, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other 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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