

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66075 of 2022**

Arising Out of PS. Case No.-357 Year-2019 Thana- MOTIPUR District- Muzaffarpur

Tuntun Rai @ Tuntun Kumar Son Of Late Murali Rai R/O Village-
Mahamadpur Balmi Tola, P.S.- Motipur, District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. N.K. Agrwal, Senior Advocate Mr. Raju Kumar, Advocate Mr. Pradhan Muri Manohar Prasad, Advocate
For the Opposite Party/s :	Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 03-05-2023 Heard learned Senior Counsel for the petitioner and
learned APP for the State.

Petitioner, in this case, has renewed his prayer for bail in connection with Motipur P.S. Case No. 357 of 2019 registered for the offences under Sections 272 and 273 of the Indian Penal Code read with Sections 30(a), 41(i)(ii) of the Bihar Prohibition and Excise Act, 2018. He is in custody since 25.01.2021 and has got ten criminal antecedents. It is submitted that in all the cases, the petitioner is on bail.

Learned Senior Counsel for the petitioner submits that this Court while rejecting the prayer for bail of the petitioner, had observed that if the trial remains unconcluded during this period of one year for no reason attributable to the petitioner, he may renew his prayer for bail.



Learned Senior Counsel submits on instruction that till date, charge has not been framed.

Considering the facts and circumstances of the case and the period of custody, this Court directs that after framing of charge by learned court below, the petitioner above named shall be released 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 learned Special Judge, Excise Court No. 2, Muzaffarpur in connection with Motipur P.S. Case No. 357 of 2019, 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.

(Rajeev Ranjan Prasad, J)

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