

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78674 of 2023

Arising Out of PS. Case No.-47 Year-2020 Thana- CHOUTARWA District- West Champaran

BHOLA MIAN SON OF LATE EINUDDIN MIAN @ LATE EINUDDIN
ANSARI @ LATE AENUDDIN MIAN Resident of Village - Kolhua, P.S.-
Chautarwa, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
S.T. No. 11 of 2022 arising out of Chautarwa P.S. Case No. 47
of 2020 registered on 18.05.2021 lodged under Sections 302,
and 120B of the I.P.C. which has been rejected vide order dated
28.09.2022 in Cr. Misc. No.58685 of 2021.

3. Counsel further submits that at the time of rejecting
the earlier bail application, this Court had granted liberty to the
petitioner that he may renew his prayer for bail after completion
of one year and now one year has already been completed.
Counsel for the petitioner further submits that he is in custody
since 25.02.2020.



4. Learned counsel for the State opposes to prayer for bail.

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 Additional Sessions Judge 1st Bagaha, West Champaran in connection with in connection with S.T. No. 11 of 2022 arising out of Chautarwa P.S. Case No. 47 of 2020 subject to the following conditions as well as the conditions laid down under Section 437(3) of the Cr.P.C.

(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.

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

(Dr. Anshuman, J)

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