

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70784 of 2022

Arising Out of PS. Case No.-55 Year-2020 Thana- RANIYATALAB District- Patna

SATYENDRA PASWAN Son of Bihari Paswan Resident of Village- Dhana,
P.S.- Rani Talab, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Braj Bhushan Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

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

Petitioner has renewed his prayer for bail in connection with Sessions Trial No. 339/2021 arising out of Rani Talab P.S. Case No. 55/2020 registered for the offence under Section 147, 148, 149, 307, 338, 302, 504 and 506 of the Indian Penal Code. He is in custody since 17.07.2020 having no criminal antecedent as stated in paragraph '3' of the application.

Earlier his prayer for bail was rejected by this Court vide order dated 24.08.2021 passed in Cr. Misc. No. 10667/2021 for the reason that the petitioner is said to be the perpetrator of the alleged occurrence.

Learned counsel for the petitioner submits that considering the kind of allegations against the petitioner this Court had observed that if the trial is not concluded within a



period of one year for no reason attributable to the petitioner, he may renew his prayer for bail. His submission is that though the charge has been framed in this case on 18.04.2022 but thereafter no prosecution witness has turned up.

Learned counsel submits that petitioner is in custody since 17.07.2020 and has no criminal antecedent.

Learned A.P.P. for the State is not present, however Incharge APP Mr. Akhileshwar Dayal is present on behalf of the State.

Having regard to the aforementioned submissions, considering the earlier order and the fact that the petitioner has remained in custody since 17.07.2020 and the prosecution evidence has still not begun, this Court directs release of the petitioner above-named 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 Additional Sessions Judge-Vth, Danapur in connection with Session Trial No. 339/2021 arising out of Rani Talab P.S. Case No. 55/2020, 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 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.

(Rajeev Ranjan Prasad, J)

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