

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1399 of 2023

Arising Out of PS. Case No.-122 Year-2017 Thana- MOUZA HIDPUR District- Bhagalpur

KRANTI KUMAR Son of Umesh Tanti Resident of Village- Kutubganj, P.S.-
Babarganj, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey

For the Opposite Party/s : Mr.Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Mojahidpur P.S. Case No. 122 of 2017, registered for the offences punishable under Sections 341, 323, 504 and 376 of the Indian Penal Code.

The learned counsel for the petitioner has submitted that it is a matter of misuse of privileges of bail. The petitioner was granted bail vide order dated 20.09.2017 by a coordinate Bench of this Court in Cr. Misc. No. 41176 of 2017. The bail bond of the petitioner was forfeited on 08.05.2019 and NBW was issued against him. The process of Sections 82 and 83 of Cr.P.C. was also issued against him. The petitioner surrendered on 05.01.2022.

The learned court below considered the fact that the



petitioner surrendered after more than two years, he was taken into custody and it was observed by the lower trial court that after lapse of 6 months, he may renew his prayer for bail.

The learned counsel for the petitioner has submitted further that after 6 months, the trial has not been concluded as yet.

Considering the above-mentioned fact and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge- Ist, Bhagalpur in connection with Mojahidpur P.S. Case No. 122 of 2017, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offense, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Sudha/Kundan

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