

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74333 of 2022**

Arising Out of PS. Case No.-219 Year-2020 Thana- FATEHPUR District- Gaya

Manoj Rajbanshi Son Of Sri Amirak Rajbanshi R/O Village- Nagwan, P.S.-
Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur,Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 15-02-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 302,120(B)/34 of IPC.

Earlier the prayer for bail of the petitioner was refused
vide order dated 23.02.2022 passed in Cr. Misc. No.37299 of
2021.

Learned counsel appearing for the petitioner submits
that the charge has been framed against the petitioner on
06.04.2022 but till date no witness has been examined by the
prosecution.

Vide order dated 04.01.2023, a report was called for
with regard to the present status of the trial. Report dated
28.01.2023 supports the submission of the learned counsel for



the petitioner.

Learned counsel for the petitioner further submits that in view of the report that there is no chance of early conclusion of the trial in near future and charge has already been framed against the petitioner and the petitioner is in custody since 21.01.2021.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Fatehpur P.S. Case No.219 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



(3) 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.

(Rajesh Kumar Verma, J)

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