

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.715 of 2023

Arising Out of PS. Case No.-219 Year-2021 Thana- HATHUA District- Gopalganj

Krishna Sah @ Hareram Sah Son of Late Heera Sah, R/o Village - Sohagpur,
P.S.- Hathua, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-01-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with S.
Tr. No.25 of 2022 arising out of Hathua P.S. Case No. 219 of
2021, lodged under Sections 302, 34 of the Indian Penal Code
read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
bail application of petitioner has been rejected vide order dated
08.12.2022 passed in Cr. Misc. No.143 of 2022 with liberty that
he may renew his prayer for bail one month after framing of
charge.

Learned counsel for the petitioner submits that due to

misinformation on the part of pairvikar of the case it could not be placed before this Court at the time of argument that charge has already been framed in this case on 28.07.2022.

Learned counsel for the State after going through the records also submits that charge has already been framed.

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 District and Sessions Judge 11th, Gopalganj in connection with S. Tr. No.25 of 2022 arising out of Hathua P.S. Case No. 219 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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