

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81992 of 2023

Arising Out of PS. Case No.-32 Year-2022 Thana- BARGAINIA District- Sitamarhi

Mayank Srivastava @ Babul @ Bablu @ Bablu Srivastava S/O Shashi
Bhushan Srivastava @ Shashi Bhushan Prasad Srivastava Resident Of Village-
Dumarbanna Ward No. 20, P.S.- Bairganja, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bairganja P.S. Case No. 32 of 2022, lodged on 03.02.2022 under
Section 395 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner was rejected *vide* order dated
07.07.2023 passed in Cr. Misc. No. 38934 of 2023. Counsel also
submits that at the time of rejection of the bail application of the
petitioner, liberty was granted to him that he may renew his
prayer for bail after framing of charge. Counsel further submits
that charge has already been framed in this case on 28.08.2023
(annexed as Annexure-4).



4. Learned counsel for the petitioner submits that the petitioner is in custody since 17.08.2022.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. 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 Chief Judicial Magistrate, Sitamarhi in connection with Bairgania P.S. Case No. 32 of 2022, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(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.

(Dr. Anshuman, J.)

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