

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7288 of 2024

Arising Out of PS. Case No.-121 Year-2022 Thana- MAHARAJGANJ District- Siwan

Ankaj Kumar Son of Late Dhmail Prasad @ Vijay Prasad R/o vill - Sihauta
Haldi Hatta, P.S. - Maharajganj, P.O. - Siwan, Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ayush Kumar, Adv.

For the Opposite Party/s : MrsMadhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 16-02-2024

1. Heard the parties.

2. Petitioner seeks regular bail in connection with
Maharajganj P.S. Case No. 121/ 2022 dated 28.04.2022
registered for the offence(s) punishable under Section(s) 302
read with section 34 of the Indian Penal Code and under Section
27 of Arms Act.

3. The main submissions advanced by learned counsel
for the petitioner are that this is second attempt of the petitioner
for the relief of regular bail after the petitioner's earlier attempt
for the same relief was rejected by this court vide order dated
01.08.2023 passed in Cr. Misc. No. 47628/ 2023 preferred by
this petitioner, giving a liberty to the petitioner to renew his bail
prayer after framing of charge upon him and now the petitioner
has come again for the same relief mainly on the basis of the



said liberty as his trial has started and charges have been framed upon him on 12.12.2023. Further submissions are that the petitioner has been languishing in jail since 08.02.2023 and against him, there is only one criminal antecedent in which he is on bail and admittedly, petitioner did not fire upon the victim and he was simply alleged to be present with other accused persons at the place of occurrence.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly taking into account the petitioner's custody period and also stage of his trial, this court is now inclined to accept his bail prayer. Accordingly, let the petitioner named-above be released on bail in connection with Maharajganj P.S. Case No. 121 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned on the following conditions:-

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



court.

(ii) If the petitioner tampers with the evidence or the witnesses, then the prosecution will be at liberty to move for cancellation of bail before the trial court.

(iii) One of the bailers shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

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