

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8308 of 2024

Arising Out of PS. Case No.-137 Year-2023 Thana- MANJHAGARH District- Gopalganj

Irfan Ali S/O Shaukat Ali Village- Bhawaniganj, Ps. Manjhagarh, Dist.
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 10-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Sessions Trial No. 823 of 2023 arising out of Manjhagarh P.S. Case No. 137 of 2023 dated 04.05.2023, lodged under Sections 147, 148, 149, 341, 323, 324, 325, 307, 302, 120(B), 504, 506 and 34 of the I.P.C.

3. Learned counsel for the petitioner submits that the bail application of the petitioner has earlier been rejected vide order dated 19.10.2023 passed in Cr. Misc. No. 68443 of 2023 in which liberty was granted to him to renew his prayer for bail after framing of charge. He submits that the charge has been framed in this case on 19.12.2023. He further submits that the progress report of the trial has also been called for on the previous occasion.

4. Learned A.P.P. for the State opposes the prayer for bail and submits that it is true that the charge has been framed in this case.

5. It transpires to this Court that no purpose shall be served keeping the accused in custody, particularly, when charge has been framed, as such, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-XIIth, Gopalganj in connection with Sessions Trial No. 823 of 2023 arising out of Manjhagarh P.S. Case No. 137 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(i) one of the bailors 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.

6. With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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