

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22999 of 2024

Arising Out of PS. Case No.-185 Year-2022 Thana- TARAIYA District- Saran

Mokhtar Singh @ Mukhtar Singh Son of Late Harihar Singh Resident of
Village-Harakhpura, Police Station-Taraiya, District-Saran, Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvadeo Singh, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-05-2024 Heard Mr. Sarvadeo Singh, learned counsel for the

petitioner and Mr. Shyameshwar Dayal, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
21.07.2022, in connection with Taraiya P.S. Case No. 185 of
2022, F.I.R. dated 03.06.2022 registered for the offences
punishable under Sections 504, 341, 324, 323, 325, 302, 34 of
the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case due to admitted land dispute and
there is case and counter case between the parties.

4. Earlier the bail petition of the petitioner was
rejected vide order dated 28.04.2023 passed in Cr. Misc. No.



65773 of 2022 and thereafter the petitioner again moved for bail before this Hon'ble Court in Cr. Misc. No. 86679 of 2023 which was dismissed as withdrawn on 05.01.2024 with liberty to move a fresh application before the learned Court below.

5. Vide order dated 20.03.2024, a report was called for with regard to the stage of the trial. The report of the learned Trial court dated 04.04.2024 reveals that out of nine (09) chargesheeted witnesses, two (02) witnesses have already been examined.

6. Learned counsel for the petitioner submits that in view of the report of the learned Trial court, the trial is not concluded in near future and the petitioner is in custody since 21.07.2022 about two years and the petitioner having clean antecedent.

7. The Additional Public Prosecutor for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts, the report of the learned Trial Court as well as the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



Additional Chief Judicial Magistrate 1st, Saran, Chapra in connection with Taraiya P.S. Case No. 185 of 2022, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, 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 antecedents, 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.

Ibrar//-

(Rajesh Kumar Verma, J)

U		T	
---	--	---	--

