

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30704 of 2024

Arising Out of PS. Case No.-102 Year-2021 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Saurav Kumar Son of Ram Kumar Singh @ Aako Singh Resident of Village -
Pahsara, P.S. - Nawkothi, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the State	:	Mr. Anish Chandra, APP
For the Informant	:	Mr. Mukul Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-07-2024 Heard Mr. Sanjay Kumar, learned counsel for the

petitioner and, Mr. Mukul Kumar, learned counsel for the

informant as well as Mr. Anish Chandra, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
29.07.2021, in connection with S.T. No. 253 of 2023 arising out
of Nawkothi P.S. Case No. 102 of 2021, FIR dated 23.07.2021
registered for the offence under Sections 302, 120(B) and 34 of
the Indian Penal Code.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 03.04.2023 passed in Cr. Misc. No.
39491 of 2022 thereafter the petitioner has again moved for
regular bail vide Cr. Misc. No. 15068 of 2024 which was
dismissed as withdrawn vide order dated 01.03.2024.



4. Vide order dated 26.04.2024, a report with regard to the present status of the trial was called for. Report of the learned Trial Court dated 18.05.2024 reveals that charge has been framed against eight persons including the petitioner on 16.04.2024 but till date prosecution has not examined any witness.

5. Learned counsel for the informant as well as learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submit that there is direct and specific allegation against the petitioner apart from that the petitioner carries five cases other than the present one but fairly submit on the basis of the paragraph-3 of the bail petition that petitioner is on bail in the three matters.

6. Learned counsel for the petitioner submits that in view of the report of the learned trial Court that there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 29.07.2021.

7. Considering the facts and circumstances of the case as well as report of the learned trial Court & period of custody, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



Addl. Sessions Judge-III, Begusarai in connection with S.T. No. 253 of 2023 arising out of Nawkothi P.S. Case No. 102 of 2021 with the following conditions:-

(i) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(ii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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 antecedent, 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.

(Rajesh Kumar Verma, J)

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