

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55526 of 2024

Arising Out of PS. Case No.-275 Year-2023 Thana- MUZFFARPUR GRP CASE District-
Muzaffarpur

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Md. Raish Son Of Md. Dulare @ Mohammad Dularey Resident Of Village -
Marwan, P.S. - Karja, District - Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.
For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
S.Tr. No. 937 of 2023 arising out of Rail P.S. Case No. 275 of
2023 dated 14.08.2023, lodged under Sections 304, 379 and 356
of the I.P.C. and subsequently added Section 411 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 29.05.2024 passed in Cr. Misc. No. 39164 of 2024
in which liberty was granted to him to renew his prayer for bail
after framing of charge. He submits that charge has already been
framed in this case on 28.05.2024 which is Annexure- 3.

4. Learned counsel for the State opposes the prayer

for bail and submits that it is true that charge has already been framed in this case.

5. 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 Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-Vth, Muzaffarpur in connection with S.Tr. No. 937 of 2023 arising out of Rail P.S. Case No. 275 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. It is made clear that the Trial Court shall accept the bail bond of the petitioner on being satisfied that he is not absconding in Sadar P.S. Case No. 471 of 2023 pending against him.

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

(Dr. Anshuman, J)

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