

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67576 of 2024

Arising Out of PS. Case No.-726 Year-2022 Thana- ARARIA District- Araria

Majrul Haque @ Majrool @ Md. Majhrul Haque @ Majrool Haque @ Md. Majrool Haque Son of Late Saiyad Hussain @ Saiyad Hasan Resident of village- Ward no. 14, Gaiyari , P.S.- Araria, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ramesh Kumar Singh, Advocate
For the Opposite Party/s	:	Mr.Jagdhar Prasad, A.P.P.
For the Informant	:	Md. Naushad Uzzoha, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-12-2024 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with Araria (R.S.) P.S. Case No. 726 of 2022 lodged on 24.08.2022 under Sections 302/201/120B/34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that in this case, the petitioner has earlier moved for regular bail which was allowed vide order dated 14.03.2024 passed in Criminal Miscellaneous No. 17590 of 2024. Learned counsel further submits that in this bail order, there were two antecedents has been informed by the pairvikar of the case. As such, the description of two cases has been disclosed in the said bail application but, subsequently, when learned counsel for the



petitioner received information that there are more cases due to which bail order could not become effective. Thereafter, he filed a modification application by way of Criminal Miscellaneous No. 38146 of 2024 which was dismissed vide order dated 12.07.2024. Thereafter, the petitioner has obtained the entire criminal antecedent which is five in number, as mentioned in paragraph no.3 of the present petition, and again moved before this Court for grant of bail. Learned counsel for the petitioner further submits that he has filed a supplementary affidavit indicating therein that the charge has already been framed in this case.

4. Learned counsel for the State opposes the prayer for bail.

5. Learned counsel for the informant opposes the prayer for bail and submits that earlier the bail was granted to the petitioner but he could fulfill the condition as he has mentioned for the pendency of two cases whereas in total five cases are pending against him.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released bail on, on being satisfied by the learned Trial Court that the petitioner is not absconding in the cases as mentioned in



paragraph no. 3 of the petition as (i) Araria P.S. Case No. 443 of 2022 (ii) Araria P.S. Case No. 16 of 2020 (iii) Araria P.S. Case No. 676 of 2016 (iv) Araria P.S. Case No. 638 of 2022 and (v) Araria SC/ST P.S. Case No. 29 of 2016, furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Araria, in connection with Araria (R.S.) P.S. Case No. 726 of 2022, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) one of the bailor 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.

(Dr. Anshuman, J)

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