

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73287 of 2024

Arising Out of PS. Case No.-27 Year-2007 Thana- DIGHWARA District- Saran

Chandan Singh @ Chandan Kumar Singh Son of Late Umesh Singh R/O-
Village- Avadhpora, P.C. -Chapra Muffasil, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 08-10-2024 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

2. The present application has been filed for quashing of the condition of the bail order granted dated 11.03.2024 passed in Sessions Trial No. 187 of 2009 (Dighwara P.S. Case No. 27/2007) by the learned 1st Additional Sessions Judge, Saran at Chapra whereby and whereunder bail was granted to the petitioner with a condition that the bail bond of the petitioner shall be accepted after completion of prosecution evidence in this matter.

3. It has been submitted by the learned counsel that once bail was granted by the court below, such onerous condition should not have been prescribed by the Court below. The petitioner is already in jail for about eight months.



4. Learned counsel for the petitioner submits that the petitioner is ready to co-operate in the trial. He shall appear personally on the date fixed or through his lawyer on the date fixed and the trial shall not be delayed on any account by him.

5. Considering the aforesaid, I am of the view that the conditions imposed by the 1st Additional Sessions Judge, Saran are onerous therefore the condition that the petitioner shall be released after all the witnesses are examined is modified to the extent that after being released on bail, the petitioner shall be represented personally or through his lawyer on the date fixed.

6. In view of the above, this application is allowed.

Considering the period of custody, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Saran at Chapra/concerned court in connection with Dighwara P.S. Case No. 27/2007.

(Sandeep Kumar, J)

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