

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78927 of 2023

Arising Out of PS. Case No.-178 Year-2020 Thana- BASOPATTI District- Madhubani

AJIT DAS @ AJIT KUMAR DAS son of Mr. Arun Das Village- Mahinathpur
Ps- Basopatti Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr.Advocate
	:	Mrs.Priyanka Singh,Advocate
For the Opposite Party/s	:	Mr.Choubey Jawahar,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 23-02-2024 Heard Mr. Yogesh Chandra Verma, learned senior
counsel appearing for the petitioner and Mr.Choubey Jawahar,
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
04.08.2020 in connection with S.Tr.No.548 of 2022 arising out
of Basopatti P.S. Case No. 178 of 2020, F.I.R. dated 28.07.2020
registered for the offence punishable under Sections 302,504/34
of IPC and Section 27 of the Arms Act.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 05.04.2022 passed in Cr. Misc. No.
35109 of 2021. Thereafter, the petitioner has again moved
before this Court in Cr. Misc. No.38425 of 2023 for renewing
his prayer for bail which was dismissed as withdrawn with
liberty to move afresh before the learned Trial Court.



4. Learned senior counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR.

5. Vide order dated 12.01.2024, a report was called for with regard to the present status of the trial. Report of the learned Trial Court dated 08.02.2024 reveals that out of eight chargesheet witnesses only one witness has been examined as yet.

6. Learned senior counsel referring the aforesaid report and 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 04.08.2020.

7. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries five more cases other than the present one.

8. Considering the aforesaid fact, report of the learned Trial Court as well as period of custody, let the petitioner, above named, 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 Additional Sessions Judge-



4th, Madhubani in connection with S.Tr.No.548 of 2022 arising out of Basopatti P.S. Case No. 178 of 2020, 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 cancelled 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.

(III) 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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