

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80020 of 2023

Arising Out of PS. Case No.-170 Year-2021 Thana- KANTI District- Muzaffarpur

Sanjiv Kumar, Son of Ajab Lal Sahni R/o Village - Chhapra Manorahth, P.S.-
Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 16-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kanti P.S. Case No. 170 of 2021, lodged on 04.03.2021 under
Sections 399, 400, 402 of the Indian Penal Code and under
sections 25(1-b)a/26/35 of the Arms Act read with sections
20/22 of the N.D.P.S. Act.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner was rejected *vide* order dated
26.09.2022 passed in Cr. Misc. No. 40707 of 2021 with liberty
granted to the petitioner to renew his prayer for bail after three
months from the date of framing of charge or after one year
from that day, whichever is earlier.

4. Learned counsel for the petitioner submits that the



charge has already been framed in this case on 03.01.2022 and from the date of rejection of bail application of the petitioner, one year has also lapsed. Counsel further submits that the petitioner is in custody since 05.03.2021. Counsel also submits that report has also been called for in this case *vide* order no.2 dated 08.12.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. 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) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Muzaffarpur in connection with Kanti P.S. Case No. 170 of 2021, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the 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.)

Divyansh/-

U		T	
---	--	---	--

