

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7729 of 2024

Arising Out of PS. Case No.-128 Year-2019 Thana- KHANPURA District- Samastipur

MOKHATAR @ MD. MOKHATAR SON OF LATE SULEMAN MIYAN
Resident of Village - Purshottampur, P.S. - Khanpur, District - Samastipur

... .. 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. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the third attempt of the petitioner to approach before this Court for bail. Earlier, vide detailed order dated 09.09.2021 and 23.11.2022 passed in Cr. Misc. Nos. 9372 of 2021 and Cr. Misc. No.35405 of 2022, the prayer for bail of the petitioner was rejected.

3. Vide order dated 09.02.2024, a report was called for from the learned Court below regarding the stage of the trial and the time likely to be taken in conclusion of the trial. In compliance thereof, a report dated 23.02.2024 has been sent by the learned Additional Sessions Judge-X, Samastipur, which is at Flag 'A' to this application. In his report, the learned Judge



has, *inter alia*, stated that out of eight charge sheet witnesses two non-official witnesses have been examined and six are yet to be examined.

4. Considering the report and the period of custody, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Khanpura P.S. Case No.128 of 2019, subject to the following conditions :

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(iii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(iv) The petitioner shall co-operate with the investigation, if not already concluded and make himself



available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(v) The petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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