

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34452 of 2025

Arising Out of PS. Case No.-9 Year-2017 Thana- MANIYARI District- Muzaffarpur

Jitendra Rai @ Jitendra Kumar Rai S/o Sri Ram Deni Rai @ Ramdheni Ray
R/o Village- Chakmehri, P.S.- Maniyari, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sagar Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Maniyari P.S. Case No. 09 of 2017, lodged on 13.01.2017, under Sections 399, 402, 414 & 120(B) of the Indian Penal Code, under Sections 25(1-b)a, 26(ii) & 35 of the Arms Act and under Sections 20 & 22 of the N.D.P.S. Act.

3. As per the prosecution, F.I.R. has been lodged against seven named accused persons, alleging that they had assembled with the intention of committing a grave offence. Upon receiving this information, the police party reached the spot, and on seeing them, the miscreants attempted to flee, however, three of them were apprehended on the spot. During interrogation, the apprehended persons disclosed the name of



the present petitioner.

4. Learned counsel for the petitioner submits that the bail bond of the petitioner was cancelled on 12.01.2023 due to lack of *pairavi*. Consequently, processes under Sections 82 and 83 of the Cr.P.C. were issued, and the petitioner was declared an absconder on 22.06.2024. Counsel further submits that the petitioner had gone out of state for his livelihood and had instructed his clerk to ensure the filing of *pairavi*, but it was not done, which led to the present situation. It is submitted that such a mistake shall not occur in the future, and the petitioner undertakes to appear before the Trial Court on each and every date without fail.

5. Learned APP for the State opposes the prayer for bail and submits that the petitioner was arrested in another case bearing Excise P.S. Case No. 171 of 2024, and thereafter, it came to light that he was absconding in the present case. It is further submitted that the petitioner has been absconding in the present matter, and due to his non-cooperative and reluctant attitude, the charge has not yet been framed. However, learned APP fairly submits that in paragraph No. 9 of the petition, it is mentioned that the charge has been framed, though the date has not been specified. On the other hand, the impugned order



reflects that the charge has not been framed.

6. In the present facts and circumstances of the case, and particularly considering that the petitioner was earlier granted bail on merits by this Court vide order dated 19.02.2019 passed in Cr. Misc. No. 8578 of 2019, let the petitioner above named be granted bail, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Judge, Court-II, N.D.P.S., Act, in connection with Maniyari P.S. Case No. 09 of 2017, subject to the following conditions as laid down under Section 480(3) of the BNSS.

(Dr. Anshuman, J.)

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