

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70985 of 2024

Arising Out of PS. Case No.-338 Year-2023 Thana- UDAKISHUNGANJ District-
Madhepura

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Shyamal Thakur Son of Bijendra Thakur Resident of village -Uda ward no.
02, Paschim Tola, Police Station -Udakishunganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 17-01-2025 Heard Learned Counsel for the petitioner and

Learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with

Sessions Trial No. 135 of 2024 arising out of Udakishunganj

P.S. Case No. 338 of 2023, lodged on 01.11.2023, under

Sections 25(1-B)a, 25(1-AA), 25(1-A), 26(1) (2) and 35 of the

Arms Act.

3. Learned Counsel for the petitioner submits that the

bail application of the petitioner has earlier been rejected vide

order dated 18.04.2024 passed in Cr. Misc. No. 12071 of 2024

and at the time of rejection of the bail application liberty was

granted to the petitioner to renew his prayer for bail three

months after the framing of charge. Counsel further submits that



charge has been framed in this case on 14.06.2024 and more than six months have been lapsed. Counsel also submits that the criminal antecedent of the petitioner is clean and he is in custody since 02.11.2023.

4. Learned Counsel for the State opposes the prayer for bail and submits that six months have been lapsed after the framing of charge.

5. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge- III, Madhepura in connection with Sessions Trial No. 135 of 2024 arising out of Udakishunganj P.S. Case No. 338 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other 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;

(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.)

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