

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80349 of 2024

Arising Out of PS. Case No.-773 Year-2023 Thana- GOPALPUR District- Patna

Jitendra Prasad, S/O Murari Prasad Resident of Mohalla- Hanuman Nagar,
Saketpuri Road number 3, P.S- Patrakar Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Amit Shrivastava- Sr. Advocate Mr. Arvind Kumar- Advocate
For the Opposite Party/s :	Mr. Chandra Bhushan Prasad- A.P.P. Mr. Deepak Kumar- Advocate Mr. Kumar Shankaram- Advocate Mr. Bhaskar Anand- Advocate Mr. Magan Kumar- Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-02-2025 1. Heard learned senior counsel for the petitioner,

learned APP for the State and the learned counsel appearing on

behalf of the informant.
2. The petitioner seeks bail in a case registered for the

offences punishable under Sections 302/ 34 of the Indian Penal

Code and Section 27 of the Arms Act.
3. The learned senior counsel for the petitioner

submits that petitioner had earlier moved this Court seeking

anticipatory bail, but the same came to be dismissed by an order

dated 19.04.2024 in Cr. Misc. No.20487 of 2024 on the ground

that process under Section 82-83 Cr.P.C. was issued against the

petitioner. It is further submitted that petitioner thereafter



approached the Hon'ble Supreme Court for seeking anticipatory bail, the said application also came to be rejected with a direction to the petitioner to surrender before the learned trial Court and seek regular bail. It is next submitted that petitioner in pursuance of the order of the Hon'ble Supreme Court surrendered on 06.08.2024 and since then, he is in custody. It is also submitted that many of the similarly situated co-accused have been granted the privilege of anticipatory bail and regular bail by this Court. It is further submitted that charge-sheet has been submitted, as such, no useful purpose would be served by keeping the petitioner behind bar. It is next submitted that even charges have been framed on 23.01.2025. It is further submitted that if privilege of bail is granted to the petitioner, petitioner will not abscond rather will cooperate in the trial to prove his innocence.

4. Learned A.P.P. Sri Chandra Bhushan Prasad as well as the learned counsel appearing on behalf of the informant opposes the bail application.

5. Considering the submissions made by the learned senior counsel appearing on behalf of the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XXXIII, Patna in connection with Sessions Trial No.1303 of 2024 arising out of Gopalpur P. S. Case No.773 of 2023.

6. The application stands allowed.

7. However, in the event, if the learned trial Court comes to a conclusion that the petitioner after his release is trying to delay the trial in any manner, the learned trial Court shall forthwith cancel his bail bonds after recording reasons and shall take all coercive steps to ensure that petitioner is behind bar.

(Satyavrat Verma, J)

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