

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23902 of 2015

Arising Out of PS.Case No. -8 Year- 2007 Thana -BAHADURGANJ District- KISANGANJ

Nayeem @ Md. Nayeem @ Naim @ Naimuddin, son of Asbuddin,
Resident of village-Bhatabari, P.S.-Bahadurganj, District-Kishanganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 22-05-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Sessions
Trial No. 1297 of 2008 arising out of Bahadurganj P.S. Case
No. 08 of 2007.

It is a case of misuse of privilege of bail. It has been
contended that after being released on bail, the petitioner was
making regular pairvi in the case but due to some unavoidable
reasons and compelling circumstances, the pairvi could not be
made on 10.11.2011, as a result of which, his bail bonds were
cancelled. The petitioner is in custody since 3rd May, 2013 and

though the charges have been framed in November, 2014 but till date, no witness has turned up during trial.

Regard being had to the facts and circumstances of the case, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, Kishanganj in connection with S.T. No. 1297 of 2008 arising out of Bahadurganj P.S. Case No. 08 of 2007 subject to the following conditions:-

- (a) The petitioner shall not influence the witnesses or tamper with any document;
- (b) at the time of furnishing the sureties, the petitioner shall furnish his address to the Court and shall not change his address till the final disposal of the case or till further orders in that regard;
- (c) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court; and
- (d) One of the sureties must be a Government servant/elected people's representative of

Panchayat/ Municipality; and the other one shall be the son of the petitioner namely, Md. Jami Alam.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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