

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50355 of 2014**

Arising Out of PS.Case No. -174 Year- 2012 Thana -MASRAKH District- SARAN

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Om Prakash Tiwari, son of Surya Nath Tiwari, resident of village -  
Bangara Paschim Tola, P.S. Masrak, District – Saran.

.... .... Petitioner/s.

Versus

The State of Bihar

.... .... Opposite Party/s.

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**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

**ORAL ORDER**

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4      08-04-2015                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

The petitioner is accused in connection with Sessions  
Trial No.76 of 2013, arising out of Masrak P.S. Case No.174 of  
2012 registered under Sections 341, 323, 324, 326, 307 and  
302/34 of the Indian Penal Code.

It appears that vide order dated 21.01.2015, the  
petitioner was granted provisional bail for ten days, i.e.,  
23.01.2015 to 02.02.2015 to perform the rituals of the marriage of  
his daughter on the basis of I.A. No.17 of 2015 on furnishing bail  
bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of  
the like amount each to the satisfaction of Adhoc Additional

Sessions Judge-V, Saran at Chapra, in connection with Sessions Trial No.76 of 2013, arising out Mashrak P.S. Case No.174 of 2012 with direction to surrender on 03.02.2015 and file surrender certificate fixing the case to be listed on 04.02.2015.

Learned counsel for the petitioner submits that till today he has no instruction about surrender of the petitioner before the trial court in the light of the order dated 21.01.2015.

In that view of the matter, the bail bond of the petitioner stands cancelled. The trial court is directed to take all effective steps for the arrest/custody of the petitioner and send a compliance report in this regard to this Court. Let a copy of this order be sent to the Superintendent of Police, Saran at Chapra, for prompt compliance.

Since the petitioner is not in custody, hence, this application filed under Section 439 of the Code of Criminal Procedure on his behalf stands disposed of.

**(Rajendra Kumar Mishra, J)**

**P.S./-**

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