

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32658 of 2016

Arising Out of PS.Case No. -4 Year- 2007 Thana -HASANPUR District- SAMASTIPUR

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Md. Rashid, Son of Md. Isamul Resident of Village - Bahattar, P.S. -
Hasanpur, District - Samastipur.

.... Petitioner

Versus

1The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh

For the Opposite Party/s : Mr. Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 20-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking regular bail in connection with Sessions Trial No.899 of 2007, arising out of Hasanpur P.S. Case No.04 of 2007, registered for the offence punishable under Sections 386, 387, 307/34 of the Indian Penal Code and under Section 3 / 4 of the Explosive Substance Act.

This matter relates to misuse of privilege of bail as the petitioner remained absent for about two years in the trial without any information to the Court, later on non-bailable warrant was issued against him and was brought to the judicial custody.

Learned counsel for the petitioner submits that the petitioner would co-operate and would appear on day-to-day basis in the trial.

Having considered the facts and circumstances of the case, let the petitioner-Md. Rashid be released on bail on furnishing bail bonds of Rs.10, 000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional District and Sessions Judge, Rosera, District-Samastipur, in connection with Sessions Trial No.899 of 2007, arising out of Hasanpur P.S. Case No.04 of 2007 subject to the conditions that one of the bailors will be a close relative of the petitioner i.e. mother/father/wife/son of the petitioner and the petitioner would co-operative in the trial. If the petitioner would remain absent on two consecutive dates without reasonable explanation, the court below will be at liberty to cancel the bail bonds of the petitioner and again bring him to the judicial custody.

(Shivaji Pandey, J)

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