

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28504 of 2016

Arising Out of PS.Case No. -165 Year- 2003 Thana -NATHNAGAR District- BHAGALPUR

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Md. Sarwar, Son of Md. Nazir, resident of Mohalla- Barari, P.S. Barari
(Kotwali), District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anwar Karim

For the Opposite Party/s : Mr. Sri Jitendra Kumar Roy 1

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

6 30-08-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner was all along on bail and had been attending
the trial court since the year, 2011 but he committed default on 27-
09-2012 as a result whereof, his bail bond was cancelled on the
same day. Subsequently, the petitioner was remanded on 12-04-
2016 and since then, he is languishing in jail custody.

The impugned order goes to show that when the bail
bonds of the petitioner was cancelled, the case was running for
recording the statement of accused persons but now, the situation
has already been changed because a petition, filed u/S 311 of the
Cr.P.C. on behalf of the prosecution, has been allowed and the
case is pending for recording the evidence of prosecution.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Nathnagar P.S. Case No. 165 of 2003 corresponding to Sessions Trial No. 02 of 2004 to the satisfaction of learned Sessions Judge, Bhagalpur.

A.K.V./-

(Hemant Kumar Srivastava, J)

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