

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21017 of 2016

Arising Out of PS.Case No. -40 Year- 2002 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Mustafa Hussain @ Md. Mustaque, son of Md. Jalauddin, resident of Village Desri, P.S. Bibhutipur, Distt. Samastipur.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Murlidhar(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 30-05-2016 Heard learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

The petitioner is in custody since 09.12.2014 in connection with Sessions Trial No. 396 of 2004 arising out of Bibhutipur P.S. Case No. 40 of 2002 registered for the offences punishable under Sections 327, 447, 302, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that there was a mistake on the part of the petitioner in not appearing in the court below on all dates. It is further submitted that the petitioner shall present himself on all dates and shall not absent himself from the trial for more than two consecutive dates. It is further submitted that the petitioner

shall not create any hindrance in the progress of the trial.

As such, let the petitioner, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Additional District & Sessions Judge, Samastipur in connection with Sessions Trial No. 396 of 2004 arising out of Bibhutipur P.S. Case No. 40 of 2002.

It is further made clear that if the petitioner does not attend the court in person on two consecutive dates, it shall be open to the court below to cancel his bail bond and take him into custody.

(Anjana Mishra, J)

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