

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15647 of 2017

Arising Out of PS.Case No. -28 Year- 2005 Thana -BALUA BAZAR District- SUPAUL

=====

Md. Mosim Son of Late Chhedi Miyan, Resident of Village- Chapin, P.S.-
Bhimpur, District Supaul. Petitioner

Versus

The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Sri Sanjay Kumar Singh, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 26-04-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Balua
Bazar (Supaul) P.S. Case No. 28 of 2005, G.R. No. 904 of 2005
registered for the offence punishable under Section 395 of the
Indian Penal Code.

The petitioner was on bail but on his behalf no pairvi
was done on 19.12.2015 and 16.02.2016, resulting, non-bailable
warrant of arrest and processes under Sections 82, 83 Cr.P.C. were
issued.

Submission is that the petitioner is ready to cooperate
during trial. He will not misuse the privilege of bail in future. The
bail bond of the petitioner was not cancelled without cancelling
his bail bond, non-bailable warrant of arrest and process were
issued. The petitioner undertakes to remain vigilant in future and,



as such, he deserves sympathetic consideration.

The learned A.P.P. submits that this is a case of the year 2005.

In the facts and circumstances as stated above, considering that the petitioner is in custody since 28.02.2017 and now he has been sufficiently penalized, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-III, Supaul in connection with Balua P.S. Case No. 28 of 2005/G.R. No. 904 of 2005, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

Vats/-

U		T	
---	--	---	--

