

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23715 of 2018

Arising Out of PS. Case No.-65 Year-2013 Thana- DAWATH District- Rohtas

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Samiullah Khan @ Sib, Son of Md. Maskur Khan @ Mastur Khan, Resident of Village & P.O.- Koath, P.S.- Dawath, District- Rohtas.

... .. Petitioner

Versus

1. The State of Bihar.
2. Rizwana Khatoon, Wife of Samiullah Khan @ Sib, Resident of Village-Koath, P.S.- Dawath, District- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 25-04-2018 Heard the parties.

This is a case of misuse of privilege of bail.

Earlier, the petitioner has moved before this Court for bail in Criminal Miscellaneous No.45334 of 2013 in connection with Dawath P.S. Case No.65 of 2013, registered for the offence punishable under Section 498A, 341 and 323/34 of the Indian Penal Code and under Section 3/4 of the Dowry Prohibition Act. The petitioner has been granted bail vide order dated 30.10.2013. As the petitioner has failed to attend the proceeding before the Court below, led to cancellation of his bail vide order dated 22.08.2017 and where-after he has surrendered on 20.02.2018.



Learned counsel for the petitioner submits that for his livelihood the petitioner has gone outside and on that account he failed to attend the proceeding before the Court below, but the petitioner undertakes that he will remain present before the Court below on day-to-day basis.

In view of the aforesaid, let the petitioner, namely, Samiullah Khan @ Siblu, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Bikramganj, District-Rohtas, in connection with Dawath P.S. Case No.65 of 2014, subject to the condition that one of the bailors of the petitioner will be his close relative i.e. mother/father/wife/son and he would co-operate with the proceedings of the Court below and in the event of being absent on two consecutive dates without any explanation, the Court below will be at liberty to pass necessary orders in accordance with law.

(Shivaji Pandey, J)

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