

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31576 of 2018

Arising Out of PS.Case No. -34 Year- 2000 Thana -DARBHANGA GRP CASE District-
DARBHANGA

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1. Md. Babloo @ Farooque @ Babloo, S/o Md. Jakir @ Jamir Haider,
resident of Bakhri Garhi, P.S. - Bakhri, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Tapeshwar Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 24-05-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in G.O Case No. 07/2000 arising out of Darbhanga Rail P.S. Case No. 34 of 2000 registered under Sections 328, 379, 511, 34 of the Indian Penal Code and Sections 21, 22 of N.D.P.S. Act.

This is a case of misuse of bail.

It is submitted by learned counsel for the petitioner that the petitioner is suffering from HIV positive since 2011 and was awfully busy in treatment of the aforesaid disease and was confined to bed. Due to aforesaid reason, he could not appear before the court. He had entrusted to his Lawyer to make necessary pairvi in the case but he left pairvi in the case



consequently his bail bond was cancelled on 27.08.2002. He was apprehended during the course of treatment. Jail doctor has also reported about his aforesaid ailment to the learned court below. He has not committed any deliberate laches or default. He has been languishing in custody since 20.02.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, Darbhanga in connection with G.O Case No. 07/2000 arising out of Darbhanga Rail P.S. Case No. 34 of 2000, subject to the condition that petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on three consecutive dates without reasonable and genuine reason to the satisfaction of learned lower court his bail bond shall stand cancelled.

(Prakash Chandra Jaiswal, J)

Trivedi/-

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