

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50627 of 2018

Arising Out of PS.Case No. -300 Year- 2011 Thana -NARPATGANJ District- ARRARIA

=====

Md. Naushad Alam @ Md. Naushad @ Naushad S/o Md. Sayeed, Resident
of Village - Khaira, Garhiya, P.S. Narpatganj, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sahila Khatoon D/o Late Md. Sajjad Resident of Village - Khaira,
Garhiya, P.S. Narpatganj, District - Araria.

.... Opposite Party/s

=====

Appearance :

For the Petitioner	:	Mr. Md. Naushad Uzzoha, Advocate
For the State	:	Mr. Sri Sakir Ahmad, Advocate
For the Informant	:	Mr. Sanjay Kumar Sharma, Advocate

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

02/ 29-08-2018

Heard learned counsels for the petitioner, State
and the informant.

The petitioner is languishing in custody since
02.06.2018 in a case of misuse of bail in connection with a case
registered for the offences punishable under Sections 498A/34 of
the Indian Penal Code.

The petitioner being the husband of the
informant was granted bail by this Court vide order dated
13.03.2012 passed in Cr. Misc. No. 7651 of 2012 on the joint
submission of the counsels for the petitioner and the informant



that the petitioner and the informant are ready to reconcile the issue.

It appears that the bail bond of the petitioner was cancelled by the learned Court below on 16.05.2016 due to his non-appearance before the learned Court below but subsequently was granted bail by the learned Court below on 16.05.2017 with a condition to remain physically present before the Court on each and every date till disposal of the case but in spite of the direction of the learned Court below the petitioner did not turn up and consequently, his bail bond was again cancelled on 07.09.2017. Now the petitioner is in custody since 02.06.2018.

It is submitted by learned counsel for the petitioner that the petitioner will regularly appear henceforth.

Considering the nature of accusation and the period under custody compared with the period of default, let the above named petitioner 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 learned Sub-divisional Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No. 300 of 2011.

The learned Court below will be at liberty to cancel the bail bond of the petitioner, if the petitioner fails to



appear regularly before the learned Court below or the petitioner fails to comply the order passed in the maintenance case with regard to payment of the maintenance amount or the order passed in domestic violence case until the same is modified by any Superior Court.

(Dinesh Kumar Singh, J)

DKS/-

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

