

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10555 of 2018

Arising Out of PS. Case No.-129 Year-2009 Thana- BARHARIA District- Siwan

Irshad Ali, S/o Riyajuddin Sah, R/o Village- Rasulpur, P.S.- Barharia, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. SRI MRITUNJAY KUMAR NIRALA

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 22-02-2018 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner, already in custody, seeks bail in connection with Barharia P.S. Case No.129 of 2009, giving rise to Sessions Trial No.486 of 2011, registered under Sections 376, 313 and 511/34 of the Indian Penal Code.

It is a case of misuse of privilege of bail.

Learned counsel for the petitioner submits that the informant is the wife of the petitioner and has lodged case of rape and forcible abortion against the petitioner. The petitioner had gone out to earn his livelihood and attended the court till April, 2013. As no prosecution witness was being turning up, the petitioner went to earn his livelihood and the petitioner is in custody since 02.01.2018.



Having considered the said facts and circumstances, petitioner Irshad Ali is directed to be released 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 4th Additional Sessions Judge, Siwan in connection with Barharia P.S. Case No.129 of 2009, giving rise to Sessions Trial No.486 of 2011, subject to the condition that the petitioner shall remain present before the trial court on each and every date and if he absents himself on two consecutive dates without any reasonable cause, his bail bond shall liable to be cancelled.

(Arun Kumar, J)

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