

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36799 of 2018

Arising Out of PS.Case No. -137 Year- 1996 Thana -RANIGANJ District- ARRARIA

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1. Abdul Tawab,
 2. Ataur Rahman, Both sons of Jamidir, Residents of Village- Ekra, P.S.- Baunsi Basaiti, District- Araria, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Safra Khatoon, Daughter of Mansur Alam, Resident of Village- Ekra, P.S.- Baunsi Basaiti, District- Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 10-07-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are in custody in connection with
Raniganj (Bousi) P.S. Case No.137 of 1996, a case under Section
376 of the Indian Penal Code.

This is a case of misuse of privilege of bail. The
impugned order would reveal that on 18.01.2018 the petitioners
and other accused persons were declared absconder in the case.
Thereafter, they are in custody since 02.02.2018. Prayer has been
refused mainly for the reason that the trial did not progress due to
long absence of the accused.

Considering the entire facts especially the period



already undergone, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Raniganj (Bousi) Police Station Case No. 137 of 1996, with condition that both the bailors shall be the residents of territorial jurisdiction of the Courts below and the petitioners shall not absent themselves in a manner to disturb the progress of the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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