IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56219 of 2018

Arising Out of PS. Case No.-41 Year-1990 Thana- ROH District- Nawada

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MD. MUSLIM MIYAN @ MD. MUSLIM SAH @ MD. MUSLIM S/o late Shekhawat Sah r/o vill - Bhatta, P.S. - Roh, Distt. - Nawada.

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Amresh Kumar Sinha
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 06-10-2018 Heard the learned counsel for the petitioner and learned counsel for the State.

The petitioner, who is in custody, seeks bail in connection with S.T. No. 215 of 2018/14 of 2018 arising out of Roh P.S. Case No. 41 of 1990 registered for the offences punishable under Sections 3/4/5 of Explosive Substance Act and 304(A)/201 of the Indian Penal Code.

The petitioner was granted bail in this case on 05.12.1990, but his bail bond was cancelled because of his non appearance thereafter, petitioner was declared absconder. Petitioner was apprehended by the police on 20.08.2017.

It has been submitted on behalf of the petitioner that he will not misuse the privilege of bail any further. It is further submitted that the petitioner is a illiterate and rustic person and

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he has no knowledge about his case and earn his livelihood by doing labour work but the Pairvikar did not do the pairvi of the case properly as a result of which the bail bonds of the petitioner was cancelled. The petitioner is in custody since 20.08.2017 and as such he may be granted regular bail.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II, Nawada in connection with S.T. No. 215 of 2018/14 of 2018 arising out of Roh P.S. Case No. 41 of 1990 with condition that petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason, trial court will be at liberty to cancel his bail bond.

(S. Kumar, J)

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