

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 16224 of 2019

Arising Out of PS. Case No.-134 Year-2010 Thana- SINDHWARA District- Darbhanga

AWADHESH CHOUDHARY Son of Ramadhar Choudhary Resident of
Rampura, P.S- Singwara, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-03-2019 Heard learned counsels for the parties.

The petitioner has filed the present application for grant of bail in a case of misuse of the privilege.

The petitioner is accused in a case registered for the offences punishable under Sections 341,323,504 and 307 of the I.P.C. and Section 27 of the Arms Act. Subsequently, the petitioner was granted bail by the learned court below but due to his continuous absence, the bail bond of the petitioner was cancelled on 5.1.2017 and thereafter, non-bailable warrant of arrest was issued vide order dated 12.1.2017 and subsequently, the petitioner surrendered on 19.1.2019.

It is submitted by learned counsel for the petitioner that this is a case of misuse of bail granted to the petitioner for two years and the petitioner has remained in custody for about two



months. It is further submitted that the petitioner undertakes to appear regularly before the learned court below.

Considering the fact that in a case of misuse for two years, the petitioner remained in custody for two months and statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named 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 the learned 5th Additional Sessions Judge, Darbhanga in connection with Singhwara P.S. Case No.134 of 2010.

The learned Court below will be at liberty to cancel the bail bonds of the petitioner in case he defaults on three consecutive occasions.

(Dinesh Kumar Singh, J)

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