

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80163 of 2018

Arising Out of PS. Case No.-2 Year-2017 Thana- AZIMABAD District- Bhojpur

Satendra Tiwary, S/o- Sri Sidhnath Tiwari, Resident of Villag- Kosiya, P.S.-
Chauri, District- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ravindra Kumar
For the Opposite Party/s	:	Mr.Sri Harendra Prasad, APP
For the informant	:	Mr. Anil Kumar Sinha

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 21-02-2019 Heard the learned counsel for the petitioner, learned
counsel appearing on behalf of the State and learned counsel
appearing on behalf of the informant.

The petitioner is in custody since 19.11.2018 in
connection with Sessions Trial No.312 of 2018 arising out of
Azimabad P.S. Case No.02 of 2017, registered under Sections
302, 120B, 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
there is no specific overtact attributed to the present petitioner
and other co-accused persons, since been taken into custody,
have been granted privilege of bail by this Court in Cr. Misc.
No.63093 of 2017 vide order dated 19.02.2018 and also in Cr.
Misc. No.61953 of 2018 vide order dated 25.01.2019. Learned



counsel for the petitioner further submits that his case for pre-arrest bail had been considered at length and the order have been passed which is marked as Annexure-1 to the present bail application and after due consideration of all facts and circumstances upon consideration of the case diary also he has been granted privilege of bail.

It is stated that the informant had filed an application before the Apex Court that the petitioner could not have been extended to said privilege of bail in view of the fact that he had already declared absconder/ proclaimed offender, prior to the date to which the order was passed by this Court and on the said basis, the bail bonds of the petitioner which had earlier been filed in connection with the order for pre-arrest bail which was cancelled and the petitioner was directed to surrender before the Court below. Accordingly, in compliance of the said order, the petitioner surrendered before the Court below and has since been in custody.

Having considered the entire facts and circumstances of the case and that the case of the petitioner has already been considered by Coordinate Bench of this Court and after due consideration he had been granted anticipatory bail and also because the other co-accused persons in connection with



similarly situated case have been granted privilege of bail, let the petitioner, above named, is directed to 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 the learned 3rd Additional Sessions Judge, Bhojpur, Ara in connection with Sessions Trial No.312 of 2018 arising out of Azimabad P.S. Case No.02 of 2017.

(Anjana Mishra, J)

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