

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29673 of 2019

Arising Out of PS. Case No.-201 Year-2003 Thana- KHAJANCHI HAT District- Purnia

MD. MUKHTAR Son of Abdul Rahman Resident of Village - Ali Nagar, P.S.
- K. Nagar, Distt - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 29-05-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **K. Hat (Maranga) P.S.**

Case No. 201 of 2003, instituted for the offence under Section(s)
395 of the Indian Penal Code.

It is a case of misuse of privilege of bail. Petitioner is
accused in a case under Section 395 of the Indian Penal Code.

From the impugned order it appears that bail bonds of
the petitioner was cancelled on 25.3.2014 and he was declared
absconder on 5.5.2014. He has surrendered in the court below on
01.02.2019.

Counsel for the petitioner submits that petitioner could
not attend the court regularly because his right hand was cut in an
accident and his treatment was going on.

Petitioner is in custody since 1.2.2019 having clean
antecedent. The petitioner has sufficiently been punished for the
laches on his part.



Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. 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 **learned Chief Judicial Magistrate, Purnea**, in connection with **K. Hat (Maranga) P.S. Case No. 201 of 2003**, subject to the condition that both the bailors will be the close relatives of the petitioner with further conditions which are as follows:

(i) Petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court (ii) In absence on two consecutive dates without any valid reason, the bail bonds of the petitioner will liable to be cancelled and (iii) if petitioner tampers with the evidence or the witnesses of the case, in that event, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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