

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38982 of 2019

Arising Out of PS. Case No.-41 Year-1990 Thana- NAUBATPUR District- Patna

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LALA TIWARI @ LAL TIWARY @ SAROJ TIWARI, Son of Dinanath
Tiwari, Resident of Madhopur, P.S. - Bihta, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 25-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 302 of the Indian Penal
Code, Sections 3, 4 and 5 of the Explosive Substance Act.

Though allegation is of misuse of privilege of bail for
about 16 years, however, the petitioner is in custody since
16.11.2018.

Submission is that this is the first misuse of the
petitioner and petitioner is ready to cooperate with the trial and
undertakes to not to commit further misuse of bail in future.
Petitioner has got no criminal antecedent.

Considering the entire facts, let the petitioner, above
named, be released on bail on furnishing bail bond of
Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the



like amount each to the satisfaction of learned Court below where the case is pending in connection with Sessions Trial No. 490[A]/1990 arising out of Naubatpur Police Station Case No. 41 of 1990, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(Birendra Kumar, J)

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