

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48184 of 2019

Arising Out of PS. Case No.-18 Year-2002 Thana- AKHODHIGOLA District- Rohtas

SUSHEEL TIWARI Son of Late Rama Kant Tiwari Resident of Village -
Sitalpur, P.S.- Nokha, Distt - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-08-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in S.Tr. No. 421/2003, arising out
of Akorhigola P.S. Case No. 18/2002, instituted for offence under
Section(s) 302 of the Indian Penal Code read with Section 27 of
Arms Act.

This is a case of misuse of privilege of bail.

Learned counsel for petitioner has submitted that bail
bond of petitioner was cancelled on 28.12.2014. The processes under
Sections 82 and 83 Cr.P.C. was issued. Thereafter petitioner
surrendered in the court below on 11.06.2019. He is in custody since
then.

This Court finds that petitioner has sufficiently been
punished for the laches on his part.

Considering the aforesaid facts and circumstances, 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 the learned 9th Addl. Sessions Judge, Rohtas at Sasaram, in connection with **S.Tr. No. 421/2003, arising out of Akorhigola P.S. Case No. 18/2002**, subject to the conditions that

- (I) both the bailors shall be the close relative of the petitioner.
- (II) Petitioner shall be present on each and every date fixed by the court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of the petitioner and
- (III) if petitioner tamper with the evidence in the case, prosecution will be at liberty to move for cancellation of bail bond of the petitioner.

(Sanjay Priya, J)

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