

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5185 of 2019

Arising Out of PS. Case No.-163 Year-1996 Thana- BELHAR District- Banka

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Kishor Kumar Singh @ Kishor Singh @ Lengra Singh Sri Gorakh Singh
Vill.- Tilwariya, P.S.- Belhar, District- Banka.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priyadarshi Matri Sharan
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 15-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who are in custody, seek bail in connection
with Belhar P.S. Case No. 163 of 1996 registered for the
offence punishable under Sections 341, 323, 504, 506 of the
Indian Penal Code.

This is a case of misuse of privilege of bail. Petitioner
was granted police bail after accepting the charge sheet, the
court below issued summons to the petitioner by both process
but was not served on the petitioner. So, he could not appear
before the Ld. Court below then his bail bond was cancelled
and he was declared absconder on 27.05.2016.

It has been submitted on behalf of learned counsel for
the petitioner that there is land dispute between the parties. It



has been further submitted that petitioner undertakes to never misuse the privilege of bail in future. Petitioner has no criminal antecedent and he is in custody since 12.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Banka, in connection with Belhar P.S. Case No. 163 of 1996 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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