

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3822 of 2020

Arising Out of PS. Case No.-333 Year-2018 Thana- BISFI District- Madhubani

Md. Tahsin son of Md. Habib @ Md. Hasib Ali Resident of Village - Gadhiya,
P.S. Bisfi (Patauna O.P.), District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kripa Nand Jha, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-01-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of bail in a case registered for the offence under section 376 of the Indian Penal Code.

Earlier application of the petitioner for bail vide Cr. Misc. no. 26551 of 2019 was rejected by order dated 14.8.2019 (Annexure 1) giving liberty to the petitioner to renew his prayer for bail on completing one year in custody.

It is submitted by learned counsel that the petitioner is in custody since 19.12.2018, however, not a single witness has been examined in the court below.

The application for bail has been opposed by learned APP for the State.



Having heard learned counsel for the parties and taking into consideration the observation given in the earlier order of rejection dated 14.8.2019 passed in Cr. Misc. no. 26551 of 2019 together with the petitioner being in custody since more than a year, the Court is inclined to enlarge the petitioner on bail. Let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge I, Madhubani in connection with Bisfi P.S. Case no. 333 of 2018, G.R. no. 1014 of 2018 corresponding to S.T. no. 133 of 2019.

It is further directed that in course of trial, the petitioner shall remain personally present on each and every date in Court and in case of his absence on two consecutive dates for reasons not to the satisfaction of the court below, bail of the petitioner shall be cancelled and he shall be taken into custody till conclusion of the trial.

(Partha Sarthy, J)

Prakash/-

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