

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22000 of 2020

Arising Out of PS. Case No.-66 Year-2019 Thana- MUFFASIL District- West Champaran

ABHISHEK TIWARI Son of Shambhoo Tiwari Resident of Village- Barwat
Pasrain, P.S.- Bettiah Muffasil, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 10-07-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks from the date of lifting of the lockdown in the
State of Bihar.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Section 366A of the Indian Penal Code and 8 of
POCSO Act.

Allegation against the petitioner is of kidnapping of



informant's daughter.

The present case relates to misuse of privilege of bail. The petitioner was granted bail vide order dated 05.07.2019 passed in Cr. Misc. No. 41399 of 2019. Charge has already been framed in this case. Two prosecution witnesses have been examined. On 03.01.2020, during the trial, proper pairvi could not be made on behalf of the petitioner. Hence, his bail was cancelled by the Court below. When he came to know about the same, he surrendered on 27.01.2020 and since then he is in custody. The petitioner has remained in custody for about five months. The misuse of bail is for approximately four weeks. The petitioner further undertakes that he will not cause any hindrance in the trial.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, is directed to be released on bail on his personal bond to the satisfaction of learned Additional District Judge-1st -cum- Special Judge, Bettiah, West Champaran in connection with Bettiah Muffasil P.S. Case No. 66/2019.

Once the normalcy is restored, the petitioner shall



furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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