

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 33044 of 2020

Arising Out of PS. Case No.-83 Year-2019 Thana- MAHILA PS District- Darbhanga

TANWEER JAMAL S/o Md. Jamal Resident of Village-Anar Kothi, P.S.-
Ashok Paper Mill (Pator O.P.), District-Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jai Prakash Singh
For the Opposite Party/s	:	Mr. Raj Kishore Singh
For the informant	:	Mr. Anjani Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

7 08-12-2021 Heard learned counsel for the petitioner and learned
counsel for informant who has appeared along with learned APP
for the State.

This Court would expect that the petitioner's
Counsel would honour his undertaking in the instant
proceedings regarding supply of requisite court fee etc. within
two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Darbhanga
Mahila P.S. Case No. 83 of 2019 registered under Sections 376,
506 and 354C of the Indian Penal Code.

The earlier rejection of the petitioner's prayer for
bail was under order dated 23.06.2020 passed in Cr. Misc. No.
6803 of 2020. The petitioner has renewed his prayer for bail



submitting that by now he has been behind bars for more than two years. There is practically no progress at the trial as beyond framing of the charges, nothing has happened and no witness has appeared in the Court.

Having regard to the submission, this Court had called for a report from the concerned Court. The report dated 01.11.2021 is confirmation of the petitioner's submission on facts that the witnesses have not appeared at the trial though summons as well as bailable warrant of arrest has been issued against the charge-sheeted witnesses.

Learned counsel for the informant has appeared. He has opposed the prayer for bail however, he has fairly submitted that there is some talk of compromise between the parties.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Darbhanga in Darbhanga Mahila P.S. Case No. 83 of



2019, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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