

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35127 of 2020

Arising Out of PS. Case No.-118 Year-2011 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Munna Mahto Son of Late Jhagru Mahto, Resident of Village - Damodarpur
Railway Gumati, P.S. - Kanti, Dist. - Muzaffarpur. Petitioner/s
Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anand Kumar
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-01-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking regular bail in
connection with Kanti P.S. Case No. 118 of 2011 registered for
offence punishable under sections 20 (B) 8 (C) /21/22/25/27 (A)
N.D.P.S. Act.

This matter is with respect to misuse of privilege of
bail.

The petitioner, vide order dated 06.06.2011, was
granted bail by the court below and on 09.06.2011. After
furnishing bail bond, he was released from custody and
thereafter, he had not participated in the court proceeding for
five years.

Learned counsel for the petitioner submits that the
petitioner had gone outside Patna for his livelihood, he had no



knowledge about the procedure of the court and when he returned back to his native place during lock-down (Covid-19), he has been arrested on 06.07.2020 and since then he is in jail custody. The petitioner undertakes that after getting bail, he will participate in the court proceeding and he would never misuse the privilege of bail and the wife of the petitioner will sworn an affidavit that the petitioner will not misuse the privilege of bail.

In such view of the matter, the petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of 1st Additional District and Sessions Judge, Muzaffarpur in connection with Kanti P.S. Case No. 118 of 2011, subject to the condition that one of the bailors of the petitioner shall be his wife. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner would remain absent for two consecutive dates, the court below will have liberty to cancel the bail bond of the petitioner.

(Shivaji Pandey, J)

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