

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3967 of 2021

Arising Out of PS. Case No.-193 Year-2012 Thana- SAUR BAZAR District- Saharsa

MD.JAHIR SON OF LATE MD. FAHIM R/O VILLAGE- BELHA TOLA
WARD NO.-17, P.S.- SOURBAZAR (PATARGHAT O.P.), DISTRICT-
SAHARSA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh

For the Opposite Party/s : Mr. Guri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 22-06-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through Video
Conferencing.

The petitioner seeks regular bail in connection with
Sour Bazar (Patarghat O.P.) Police Station Case No. 193 of
2012, registered for the offence punishable under Sections
147/148/149/323/307/379/504 of the Indian Penal Code and
Section 27 of the Arms Act.

The petitioner was granted bail by the learned Court
below and he did not appear physically before the learned Trial
Court on 28.11.2014 and kept on filing petition seeking
exemption from personal appearance, however the learned Trial
Court rejected the application filed by the petitioner seeking



exemption from physical appearance and cancelled the bail bond, vide order, dated 26.06.2019 and the petitioner is in custody since 15.09.2020.

Learned Additional Public Prosecutor submits that the petitioner has misused the privilege of bail and adopted delaying tactics along with other accused persons, due to which charges could not be framed in this case since 2014.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 15.09.2020, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Saharsa, in connection with Sour Bazar (Patarghat O.P.) Police Station Case No. 193 of 2012.

This is subject to the conditions that (i) the petitioner shall deposit the fine amount awarded by the learned Trial Court and, (ii) the petitioner shall present himself physically before the Court, as and when required and in the event of failure on his



part to appear before the Court on two consecutive occasions,
his bail bond shall be liable to be cancelled by the learned Trial
Court itself.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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