

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8201 of 2021**

Arising Out of PS. Case No.-184 Year-2013 Thana- TURKAULIYA District- East
Champanan

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Chhotelal Paswan @ Chhotu Paswan@ Chhotu @ Chhote Paswan aged about
25 years S/O Late Banti Paswan R/O Village- Madhopur Kathariya, P.S-
Turkauliya, District- Motihari, East Champanan

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Kundan Rathore, Advocate
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-05-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case
registered for the offence punishable under sections
363/366A/120B/34 of the Indian Penal Code.

It is alleged that because of petitioner's non-apperance
before the court below since 24.11.2014, his bail bond was
cancelled on 29.6.2015.

It is submitted on behalf of the petitioner that earlier
petitioner was on bail in the instant case vide order dated
29.11.2013, passed by a co-ordinate bench of this court,



contained in Annexure 1, but as he did not appear before the court below, his bail bonds have been cancelled and he is in custody since 24.8.2020. It is also submitted that the petitioner is a labour and sole bread earner of the family and had gone to earn livelihood to some other place. In paragraph 14, petitioner avers that there is no chance of his absconding or tempering with the evidence.

Considering the facts and circumstances of the case, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge XI, East Champaran at Motihari in Sessions Trial No. 154 of 2020/ arising out of Turkauliya Police Station Case No. 184 of 2013, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

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