

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.86878 of 2019**

Arising Out of PS. Case No.-61 Year-2015 Thana- BASANTPUR District- Siwan

ASLAM ANSARI @ ASALAM ANSARI @ MD. ASLAM S/o Late Pir  
Mohammad R/o village- Karapalia, P.S.- Goreakothi, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raghav Prasad, Adv.

For the Opposite Party/s : Mr. Nagendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      09-03-2021                      Heard learned counsel for the petitioner and learned  
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Sessions Trial no. 505 of 2015 arising out of Basantpur P.S. Case no. 61 of 2015 registered under sections 302, 201, 379, 120B and 34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner that the petitioner was enlarged on bail in connection with the above case by order dated 30.3.2016 (Annexure-1) passed in Cr. Misc. no. 12314 of 2016. However, unfortunately, as a result of his arrest in another case, proper *pairvi* was not done and the bail bond of the petitioner was cancelled on 15.2.2018. The petitioner was once again remanded in the instant case on 1.5.2019. It is submitted that in a case of misuse of privilege of bail, the petitioner has remained in custody for one year and ten



months.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the period in custody, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sessions Trial no. 505 of 2015 arising out of Basantpur P.S. Case no. 61 of 2015 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-III, Siwan.

It is further directed that the petitioner shall remain physically present on each date of the trial and in case the learned trial Court is of the opinion that the trial is being delayed because of the petitioner, the bail bond of the petitioner shall be cancelled and he shall be taken into custody till conclusion of the trial.

**(Partha Sarthy, J)**

sushma/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

