

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1362 of 2022**

Arising Out of PS. Case No.-132 Year-2021 Thana- SHIVSAGAR District- Rohtas

Mukesh Tiwary Son Of Umesh Tiwary R/O Village- Naudiha, P.S.-
Sheosagar, District- Rohtas

... .. Appellant/s

Versus

1. The State Of Bihar
2. Sunaina Devi Rajesh Paswan Resident of Village-Manki, P.S.-
Sheosagar(Baddi), District-Rohtas

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.N.K. Agrawal, Sr. Adv. Mr. Ajay Kumar Tiwari, Adv.
For the Respondent/s	:	Mr.Binay Krishna, Spl. PP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

- 3 27-07-2022 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State. Though the opposite
party no. 2 has appeared through Vakalatnam but nobody
appears on her behalf.

Vide order dated 02.12.2021, bail application of the
appellant was earlier rejected with liberty to renew his prayer
for bail after framing of charge.

Learned senior counsel for the appellant submits that
now charge has been framed by order dated 10.03.2020.

Considering the fact that the charge has already
been framed against the appellant, let the above named
appellant, be enlarged on bail on furnishing bail bond of
Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties



of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-17-cum-Special Judge (SC/ST Act), Rohtas at Sasaram in connection with Sheosagar (Baddi O.P.) P.S. Case No. 132 of 2021, subject to the conditions:

(1) that one of the bailors will be a close relative of the appellant, who will give an affidavit giving genealogy as to who he is related with the appellant. He will also undertake to inform the court if there is any change in the address of the appellant.

(II) that the appellant will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(III) that the appellant will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(IV) that the bailor shall also stated on affidavit that he will inform the Court concerned if the appellant is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.



Accordingly, the impugned order is set aside and the appeal is allowed.

(Anjani Kumar Sharan, J)

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