

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72333 of 2021

Arising Out of PS. Case No.-4 Year-2000 Thana- AANDAR District- Siwan

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Mainuddin Mian, Son Of Nizamuddin Mian Resident Of Village- Andar
Jamalpur, P.S- Andar, Dist- Siwan

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in connection with Andar P.
S. Case No.04 of 2000 registered for the offences punishable
under Sections 379, 448, 504/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that
earlier the petitioner was granted bail and thereafter, his bail
bonds were cancelled on 22.01.2008 and on 07.02.2008, he was
declared an absconder. It is submitted that the petitioner
thereafter was arrested in S.C./S.T. P. S. Case No.15 of 2018 and
from that case, he was remanded in the present case on
09.04.2021.

The learned counsel for the petitioner submits that
petitioner has remained in custody for more than 13 months.

Learned A.P.P. opposes the bail application and
submits that once the petitioner is granted bail, again he will



abscond.

Considering the fact that petitioner is in custody and it is a case of misuse of privilege of bail and has remained in custody for more than 13 months, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Trial No.3486 of 2021 arising out of Andar P. S. Case No.04 of 2000, subject to condition that one of the bailors shall be the father of the petitioner namely, Nizamuddin Mian.

However, if the learned Court below comes to a conclusion that the petitioner after his release is trying to delay the trial proceeding in any manner, the learned Court below shall forthwith cancel his bail bonds after recording reasons and take all coercive steps to send him behind bars.

The application stands allowed.

(Satyavrat Verma, J)

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