

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26239 of 2023**

Arising Out of PS. Case No.-352 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

=====

MONU KUMAR @ MONU Son of Ram Kumar Resident of H.No. - 336/16,
Hanuman Colony, Hansi, P.S. - Hansi, Distt. - Hisar (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate

For the Opposite Party/s : Mr.Kanhaiya Kishore(App100)

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 26-04-2023

It is case of misuse of privilege of bail.

Earlier, vide order dated 29.01.2020 passed in
Cr.Misc. No. 70669 of 2019, the petitioner was released on bail
with following two conditions:

**“(1) Petitioner shall cooperate 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 absence on two consecutive dates without
sufficient reason, his bail bonds 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.”**

It is submitted by learned counsel for the petitioner
that petitioner has not misused the privilege of bail deliberately,
as he works in Haryana and due to lack of proper
communication, he could not appear before the court below on
the fixed date and his bail-bond stood cancelled. It is further
submitted that petitioner is in custody since 13.02.2023, having



clean antecedent. Petitioner also undertakes that in future, he will never misuse the privilege of bail.

Considering the same, let the above-named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise) – 02, Samastipur in connection with Excise Case No. - 352 of 2018.

(Prabhat Kumar Singh, J)

anay/-

U		T	
---	--	---	--

