

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30122 of 2023

Arising Out of PS. Case No.-26 Year-2009 Thana- TARIYANI CHOWK District- Sheohar

MOTI RAM Son of Bhagirath Ram Resident of village-Kushhar, P.S.-
Tariyani, District-Sheohar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 21-08-2023 Heard the parties.

The petitioner is an accused in connection with Tariyani P.S. Case No. 26 of 2009 registered for the offences under sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code lodged on 14.02.2009 by the informant, Sunil Ram.

The petitioner was later granted bail in the matter and was diligently appearing in trial till 22.06.2022. However, he failed to appear on 29.06.2022 and 08.07.2022 whereafter his bail bond was cancelled.

Immediately after the knowledge of the same, he surrendered and he is in custody since 25.03.2023 (as stated in paragraph 1 of the bail application).

Learned Counsel for the petitioner submits that due to miscommunication with the lawyer, he could not appear and



assures that he will be diligently appearing in trial without fail.

Considering the aforesaid facts on record, the submissions put forward by the learned Counsel for the petitioner and the fact that he is in custody since 25.03.2023, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Sessions Judge, Sheohar in connection with Tariyani P.S. Case No. 26 of 2009, Sessions Trial No. 75 of 2012, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six month to mark attendance;

(iv) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of his bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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