

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5407 of 2024

Arising Out of PS. Case No.-101 Year-2017 Thana- POTHYA District- Kishanganj

Afzal S/O Late Nafar Ali @ Daku Village- Gorukhal, PS. Pothia, Dist. Kishanganj.

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Sessions Trial No. 239/2017 arising out of Pothia P.S. Case No. 101/2017 lodged on 11.06.2017 under Sections 413 and 414 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been lodged against the sole petitioner.

4. Learned counsel for the petitioner submits that the petitioner was granted bail but due to his absence and mis-communication, his bail bonds were cancelled and at present he is in custody since 30.11.2023. The antecedent of the petitioner is clean.

5. Learned counsel for the State opposes the prayer



for bail and submits that on 02.03.2019, the evidences were produced but unnecessary delay had been caused by the petitioner and therefore, he may not be granted bail till disposal of the criminal case.

6. Learned counsel for the petitioner further submits that he is ready to fulfill the bail bonds and further conditions even he is ready to appear on each and every date fixed.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Kishanganj, in connection with Sessions Trial No. 239/2017 arising out of Pothia P.S. Case No. 101/2017, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with further condition that 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 bonds by the Trial Court itself.

(Dr. Anshuman, J)

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