

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23110 of 2024

Arising Out of PS. Case No.-117 Year-1996 Thana- SAHAR District- Bhojpur

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Kameshwar Singh @ K.K. Bihari Son of Late Sidhari Singh Resident of
Village and P.S.- Narayanpur, Dist.- Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Baidyanath Prasad

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

4 11-07-2024 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Session Trial No. 623 of 2008 arising out of Sahar P.S.
Case No. 117 of 1996 for the offences punishable under
Sections 302/34 of the Indian Penal Code.

3. It is a case of misuse of privilege of bail. It appears
that the bail bond of the petitioner was cancelled on 28.04.2022
and non-bailable warrant of arrest was issued. The process
under Section 82 and 83 of the CrPC has already been issued
and the petitioner and thereafter he was declared as an
absconder.

4. The learned counsel for the petitioner has submitted
that earlier he was on bail and he went outside of the state for
earning his livelihood. He has further submitted that the



petitioner was not arrested, rather surrendered himself before the court below. He has also submitted that the petitioner is under custody since 24.11.2023 and he has amply been punished for his default.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Bhojpur at Ara in connection with Session Trial No. 623 of 2008 arising out of Sahar P.S. Case No. 117 of 1996, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) The petitioner shall appear in the court below on each and every date fixed in the case and if he fails to do so on two consecutive dates, the learned court below shall be at liberty to cancel the bail bond of the petitioner.



(iii) The bail bond of the petitioner shall be accepted at least, after examination of four witnesses.

(Nawneet Kumar Pandey, J)

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