

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72589 of 2023

Arising Out of PS. Case No.-134 Year-1995 Thana- SABAUR District- Bhagalpur

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1. Tuntun Mandal @ Satendra Mandal@ Sajindra Mandal Son Of Late Fagu Mandal Village- Lailakh, Ps- Sabour, Dist- Bhagalpur
 2. Sunil Mandal Son Of Late Hiranman Mandal Village- Lailakh, Ps- Sabour, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in connection with Sabour P.S. Case No. 134 of 1995 instituted for the offence under Sections 302, 201/34 of the Indian Penal Code.

3. It is a case of misuse of the privilege of bail by the petitioners. The present case was registered in year of 1995 thereafter, the petitioners were enlarged on bail but due to their non-appearance in trial, their bail bond were cancelled by concerned court on 27.9.2022.

4. It is submitted by learned counsel for the petitioners that the petitioners have not misused the privilege of bail deliberately. It has been brought on record by learned counsel



for the petitioners through supplementary affidavit that the petitioner nos 1 & 2 were enlarged on bail on dt. 23.8.1996 & 2.7.1996 and they were remained present before court till 19.8.2022 thereafter their bonds have been cancelled. There is no malafide and willful intention of the petitioners. The petitioners have got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 11.8.2023.

5. Learned APP appearing for the state has opposed the prayer of bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Sabour P.S. Case No. 134 of 1995 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District Judge 14th, Bhagalpur.

(Sunil Kumar Panwar, J)

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