

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70360 of 2023

Arising Out of PS. Case No.-192 Year-2015 Thana- DEHRI TOWN District- Rohtas

Khurshid Alam @ Sandaha @ Sandwa Son Of Anwar Khan @ Akbar Khan
@ Akbar Resident Of Village - Jakki Bigha, Dehri, P.S. - Dehri, District -
Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-01-2024 Heard learned counsel for the petitioner and

learned A.P.P for the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 302/34 of the Indian Penal Code and Section
27 of the Arms Act.

It is a case of commission of murder of the
brother of the informant.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in this case. There is general and



omnibus allegation against the petitioner. The petitioner was granted bail by a coordinate Bench of this Court vide order dated 29.03.2016 passed in Cr. Misc. No. 12244 of 2016. After release on bail, the petitioner went outside the State for his livelihood and due to mis-communication of the advocate's clerk, the petitioner could not appear before the Trial Court. Hence, the bail bonds of the petitioner was cancelled on 06.08.2019 and Non-bailable warrant of arrest was issued against him. The default of the petitioner was not intentional but due to mis-communication, he could not appear before the learned Trial Court. The petitioner is in judicial custody since 08.05.2023.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that bail bonds of the petitioner was cancelled on 06.08.2019 and N.B.W was issued against him. The petitioner did not appear before the Trial Court due to which the trial got hampered.



Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on his furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Rohtas at Sasaram in connection with Dehri (Town) Dalmiyanagar P.S. Case No. 192 of 2015.

The petitioner will cooperate in the investigation and shall present himself on each and every date before the Trial Court. Non-appearance of the petitioner before Trial Court on two consecutive occasions without plausible reason will give liberty to the Trial Court to cancel the bail bonds of the petitioner.

(Sunil Kumar Panwar, J)

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