

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83129 of 2023

Arising Out of PS. Case No.-18 Year-2001 Thana- MALI District- Aurangabad

NAGESHWAR SINGH SON OF Late JANKI SINGH R/O VILLAGE-
RATAN KARMA, P.S.- NAVINAGAR, DISTRICT- AURANGABAD,
BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arya Achint

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Mali P.S. Case No. 18 of 2001 registered on 28.05.2001 lodged
under Sections 147, 148, 149, 323, 324, 325, 326, 307, 302,
436, 353, 427, 452 of I.P.C. and 27 of the Arms Act, ³/₄ of the
Explosive Substance Act and 17 of the C.L.A. Act.

3. Counsel for the petitioner submits that petitioner
was granted bail earlier and furnished the bail bond but his bail
bond was cancelled due to his non-appearance on 13.01.2010.
Since then the record was running for appearance for accused
petitioner and presently he is in custody since 22.08.2023
having 16 criminal case pending against him, in which he is on



bail.

4. Learned counsel for the State opposes the prayer for bail and submits that bail bond of the petitioner was cancelled in the year 2010 and he has surrendered in 2023 and intentionally he has caused delay in the trial of approx 13 years.

5. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail ***on being satisfied by the trial Court that he is not absconding in any of the criminal cases pending against him which are mentioned below*** and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-X, Aurungabad in connection with Mali P.S. Case No. 18 of 2001, subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.

(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



bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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.

- Nabinagar P.S. Case No. 84/2005.
- Nabinagar P.S. Case No. 48/2009
- Nabinagar P.S. Case No. 68/2011.
- Nabinagar P.S. Case No. 05/2013.
- Nabinagar P.S. Case No. 167/2012.
- Nabinagar P.S. Case No. 174/2013
- Nabinagar P.S. Case No. 179/2014.
- Kutumba P.S. Case No. 63/2014.
- NTPC Khaira P.S. Case No. 04/2013
- Narari P.S. Case No. 20/2012
- Narari P.S. Case No. 21/2012
- Narari P.S. Case No. 23/2012



- Kutumba P.S. Case No. 89/2013
- Kutumba P.S. Case No. 94/2010
- Kutumba P.S. Case No. 30/2010
- Nabinagar P.S. Case No. 65/95

(Dr. Anshuman, J)

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