

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7126 of 2025

Arising Out of PS. Case No.-176 Year-2014 Thana- BARAUNI District- Begusarai

Gulshan Kumar, S/o Shri Munna Singh, Resident of Village- Bihat @ Bihatm,
Police Station- Barauni, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Barauni (FCI OP) P.S. Case No. 176 of 2014, registered for the alleged offences under Sections 364, 302, 201/34 of the Indian Penal Code.

3. It is a case of misuse of privilege of bail. Earlier, the petitioner was granted bail by the learned trial court. However, for misuse of privilege of bail, the bail bond of the petitioner was cancelled and he was taken into custody.

4. The learned counsel for the petitioner submits that the petitioner is a driver and being a daily wager, he has no option but to leave his house to earn his bread and his bail bond was cancelled on 11.11.2024 and he has been taken into custody.



The learned counsel further submits that there is no progress in the case and the matter is still fixed for evidence. The learned counsel further submits that the petitioner undertakes not to misuse the privilege of bail in future. The petitioner is in custody since 29.11.2024 and has been sufficiently penalized.

5. The learned APP vehemently opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made here-in-above and considering the period of custody of the petitioner due to misuse of privilege of bail, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII, Begusarai, in connection with Sessions Trial No.374/2015 arising out of Barauni (FCI) P.S. Case No.176/2014, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.



(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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