

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83079 of 2025

Arising Out of PS. Case No.-332 Year-2010 Thana- BARAUNI District- Begusarai

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Avinash Kumar Son of Kaushal Kumar Singh @ Kaushal Singh R/V -Bihat,
Ward no 28, Tola- Ibrahimpur PS -Barauni Dist-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nakul Kumar Jamuar, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with S.T. Case
No. 77 of 2012 arising out of Barauni P.S. (FCI) Case No. 332
of 2010, instituted for the offences punishable under Sections
341, 323, 337, 307, 504 and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that the petitioner
along with other co-accused persons assaulted the informant and
his son due to which they sustained injuries.

4. Learned counsel for the petitioner submits that the
present is misuse of privilege of bail earlier granted to the
petitioner. Earlier the petitioner was granted bail on 23.10.2010
by the learned Court below. The case was fixed for evidence but



no *pairvi* was done by the Advocate clerk, hence, his bail bond was cancelled on the same day i.e. on 16.03.2023. It is also submitted that the petitioner went to Punjab for his livelihood and when the petitioner returned back, he got knowledge about the cancellation of bail. Petitioner is in custody since 04.11.2025, having no criminal antecedent. Thus, there is misuse of privilege of bail for more than two years. Learned counsel for the petitioner further submits that the petitioner undertakes to abide by any conditions imposed by this Court, if released on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner as also the undertaking given by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with S.T. Case No. 77 of 2012 arising out of Barauni P.S. (FCI) Case No. 332 of 2010, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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