

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3872 of 2025

Arising Out of PS. Case No.-72 Year-2012 Thana- LAUKAHA District- Madhubani

Md. Akhtar Son of Nabi Hasan Resident of Village - Laukaha, P.S. - Laukaha,
District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Soban Asghar, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 22-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Laukaha P.S. Case No. 72 of 2012 dated 13.08.2012, instituted for the offence punishable under Sections 366, 365, 406, 420 of the Indian Penal Code.

3. The allegation against the petitioner is that, he enticed away the wife of the informant alongwith Rs. 2,00,000/- and other articles for the purpose of marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner was granted the privilege of regular bail by the order dated 07.02.2013 passed by a Bench of this Court in Criminal Miscellaneous No. 3937 of



2013 but, the bail bond of the petitioner was cancelled due to his non appearance in the trial since 04.10.2018. Learned counsel submitted that petitioner has marked his attendance before 04.10.2018 and thereafter he went outside to earn his livelihood due to which he could not attend the trial. Therefore, the learned Trial Court declared him as absconder on 05.07.2024. Soon thereafter, when petitioner came to know about the aforesaid order then he surrendered before the concerned Court on 07.09.2024 and since then he is in judicial custody. Lastly, it has been submitted that the petitioner has no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court of A.C.J.M., Jhanjharpur, District- Madhubani in Laukaha P.S. Case No. 72 of 2012, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Khatim Reza, J)

Sankalp/-

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