

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31137 of 2026

Arising Out of PS. Case No.-561 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Md. Raja Son of Md. Munna Resident of Village- Pokhar Mohalla, Sukhlal
Tola Fulwaria, P.S.- Fulwaria, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Begusarai Mufassil P.S. Case No.561 of 2023 registered for the
offence punishable under Section 392 of the Indian Penal Code.

3. Learned counsel for the petitioner has submitted that
it is a case of misuse of bail. It has been submitted that the
petitioner was granted bail by the learned trial court on 04.01.2024
and his bail bond was cancelled on 03.09.2024.

4. Learned counsel for the petitioner has submitted that
the petitioner has gone outside for earning his livelihood. He was
having no information regarding the proceedings of the Court.
Learned counsel for the petitioner has submitted that the petitioner
is in judicial custody since 18.10.2025 and from perusal of the



order of the trial court it is clear that the learned trial court has stated that the trial has been hampered due to absence of this petitioner and even charge has not been framed and all processes have been issued. Learned counsel for the petitioner has submitted that the processes issued to the petitioner were not served to him.

5. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail *with the condition that the petitioner shall co-operate in the trial and shall remain physically present in the trial court till the conclusion of trial.*

The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned Additional District and Sessions Judge-Vth, Begusarai in connection with Begusarai Mufassil P.S. Case No.561 of 2023.

6. Before parting, it is very disheartening to note that even the officers in the cadre of District Judge are rejecting the prayer for bail in cases of misuse of privilege of bail. He should introspect and shall not pass orders on mechanical grounds.

(Ashok Kumar Pandey, J)

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