

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38143 of 2026

Arising Out of PS. Case No.-296 Year-2019 Thana- DALSINGHSARAI District- Samastipur

Sandeep Kumar Son of Hiralal Thakur Resident of Village-Rampur Jalalpur
PS- Dalsinghsarai District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Arun Kumar Ray S/o- Shri Upendra Ray Resident of Village-Rampur Jalalpur, W.No-12, PS- Dalsinghsarai District- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Opposite Party/s : Mr. Gulnar Begum, APP.

CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR
ORAL ORDER

3 28-07-2026 Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State.

2. Petitioner seeks regular bail in connection with Dalsinghsarai P.S. Case No. 296 of 2019 registered for the offence under Sections 363 and 366A of the Indian Penal Code.

3. The case appears to be of misuse of privilege of bail.

4. It appears from the record that the petitioner had been granted bail by the learned court below vide order dated 21.09.2020, and thereafter cognizance had been taken against the petitioner on 04.02.2022. However, due to non-appearance of the petitioner on several occasions before the learned court



below, his bail bonds stood canceled vide order dated 18.04.2023.

6. Learned counsel for the petitioner fairly admits the aforesaid events and in support of the case of the petitioner, he submits that the petitioner is a poor man and works in a Salon as an employee (Barber). It has further been submitted that the petitioner has been regularly working in the salon at Dalsinghsarai but neither any summons have been received to him nor the police ever visited to the petitioner for his appearance in the present case before the court below and therefore, the petitioner could not surrender before the learned court below. Accordingly, his bail bond stood cancelled. It has further been submitted that there is no deliberate and intentional laches on the part of the petitioner rather he has no knowledge about the issuance of summons against him. He further submits that petitioner undertakes that he will not misuse the privilege of bail in future if he is released on bail. He lastly submits that the petitioner has no criminal antecedent and he has been languishing in custody since 21.04.2026, therefore, he seeks sympathetic view of this Court for his release.

7. Learned APP for the State vehemently opposes the prayer for bail of the petitioner.



8. Considering the aforesaid facts and circumstances of the case and also the fact that the petitioner has undertaken that he will not misuse the privilege of bail in future as well as his clean antecedent and period of custody undergone by him, this court is inclined to grant bail to the petitioner.

9. Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Court (POCSO), Samastipur, in connection with Dalsinghsarai P.S. Case No. 296 of 2019.

(Girijish Kumar, J)

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