

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50064 of 2026

Arising Out of PS. Case No.-51 Year-2012 Thana- BAUNSI District- Araria

Md. Jawed @ Jawed Son of Md. Hashim Resident of Village- Karela, P.S.-
Bousi, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Adv.

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR
ORAL ORDER

2 22-07-2026 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
Bousi P.S. Case No. 51 of 2012 registered for the offence under
Sections 364, 120(B), 504, 34 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 a co-ordinate Bench of this Court vide
order dated 04.04.2014. However, due to non-appearance of the
petitioner before the court below, his bail bonds stood canceled
on 05.06.2015. Subsequently, the petitioner had been granted
bail on 09.06.2015 by the court below itself. It also appear from
the record that again on 17.02.2023, the bail bond of the



petitioner had been canceled on account of non-appearance before the court below. However, he again secured bail on 27.04.2024 by the trial Court itself. Soon thereafter, on 05.08.2024, the bail bond of the petitioner had been cancelled for want of his appearance before the court below and he was declared absconder on 15.01.2025.

5. The conduct of the petitioner appears to be deliberate and intentional as he has misused the privilege of bail on three successive occasions.

6. Learned counsel for the petitioner fairly admits the aforesaid events and conduct of the petitioner and in support of the case of the petitioner, he submits that the petitioner happens to be a labourer and he had gone outside of the State for his livelihood on account of which, he could not secured appearance before the court below. The petitioner happens to be sole bread earner of his family and there is no deliberate and intentional laches on the part of the petitioner. 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 is in custody since 12.02.2025 and seeks sympathetic view of this Court for his release.

7. Learned APP for the State vehemently opposes the



prayer for bail of the petitioner and submits that the petitioner has one more criminal antecedent other than the present one.

7. Considering the aforesaid facts and circumstances of the case as well as the fact that the petitioner has undertaken that he will not misuse the privilege of bail in future, this court is inclined to grant bail to the petitioner.

8. Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-IV, Araria, in connection with Bausi P.S. Case No. 51 of 2012, subject to the following conditions:

(I) One of the bailors should be close relative of the petitioner.

(ii) It is made clear that if the petitioner found to be absent on two consecutive dates before the court below, his bail bond shall stand canceled automatically.

(Girijish Kumar, J)

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