

**In the Court of Special Judge SC/ST (POA) Act-cum-
1st Additional Distt. & Sessions Judge, Aurangabad (Bihar)
Trial No. 118/2020; GR & CIS No. 25/2020
Arising out of Risiup P.S. Case No. 14/2020**

23.09.2024 The surrender-cum-bail petitioner filed under Section 439 of the Criminal Procedure Code, 1973 arising out of Risiup P.S. Case No. 14/2020 has been preferred on behalf of the accused persons/petitioners namely **1. Pramod Saw, 2. Ravi Kumar @ Bhola Saw and 3. Vikash Kumar** who are taken in judicial custody.

The learned counsel for the accused persons/petitioners has submitted that it is the case of one day misuse of dated 08.08.2024 when three witnesses namely Anita Kumari, Usha Devi and Puja Devi appeared as witness and their evidence could not be recorded due to non-attendance and non-pairvi of the accused persons / petitioners but the learned counsel for these petitioners have tried to establish that the petitioners are labour and misuse as such deliberately and has ensured that such mistake will not occur again and prayed to extend the privileges of bail to the accused persons/petitioners.

At the other hand, the learned Special public prosecutor has opposed the prayer for bail and has prayed to reject it.

After giving due attention to the averments of the both sides, it goes to reveal from the record that it is one day misuse and it is the first misuse during the course of trial. Relying on the contention of the learned counsel for the petitioners, it appears justifiable to extend a chance them. In such state of the fact, this court finds it fit to extend the privileges of bail thereby to release them on furnishing bail bonds of worth Rs.10,000/- (ten thousand) with two sureties of like amount with a further condition to deposit a cost of Rs. 600/- each as a witness cost. **Accordingly, the prayer is allowed.**

(Dictated)

The Special Judge (SC/ST)-cum-
1st Addl. Distt. & Sessions Judge,
Aurangabad (Bihar)
23.09.2024

Civil Court, Aurangabad