

Court of Addl. District & Sessions Judge - XIV, Begusarai
S. T No.- 182/2020

State of Bihar V/s Divakar Singh @ Divakar Kumar

05.04.2021

ORDER

Heard learned counsel on bail application dated 05.04.2021 filed on behalf of accused Divakar Singh @ Divakar Kumar in connection Nowkothi P.S case no. 98/18 registered u/s 302/34 and u/s 27 of the Arms Act.

Learned counsel of petitioner submitted that today one accused Diwakar Singh is surrendering before the court. He further submitted that petitioner has misused the privilege of bail for only one date. So, the petitioner may be enlarged on bail.

Learned Addl.P.P opposed the prayer of bail and submitted that even after presence of this accused; appearance has not been completed in this case. Other two accused persons are still absent in this case. So, the petitioner may be enlarged on bail with imposing some conditions.

Having heard both the parties and on the perusal of record it transpires that on 22.02.2021 order was passed for issuance of NBW in against of absent 3 accused persons including the accused petitioner. On that date rest of 3 accused persons were present before the court. On 08.03.2021 as well as 22.03.2021 accused petitioner and other two accused persons were absent. But on the perusal of record it also transpires that NBW has not been issued by the office and the accused petitioner has surrendered before this court voluntarily. Considering aforesaid facts and circumstances and also considering the submission made on behalf of both

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parties; this court is of considered opinion that this is a fit case for enlarging the petitioner on bail on filing bail bond of Rs 16,000 with two sureties of like amount each with condition that one of the bailor must be close relative.

(Dictated and corrected)

Sd/-

**Addl. District & Sessions Judge- XIV
Begusarai/05.04.2021**