

**In the Court of Addl. Sessions Judge- I Court
Vaishali at Hajipur,
STR No.- 237/2020**

In the matter of :-

State

Vs

Shiv Shankar Kumar @ Bigan @ Shiv Kumar,

.....**Petitioner**

Learnd Counsel for petitioner:- Shree Ravi Shankar Kumar

Date of order :- 27.06.2022

Order

The petition on behalf of Shiv Shankar Kumar @ Bigan @ Shiv Kumar has been filed and praying grant of regular bail to him.

The learned counsel for petitioner has submitted that the bail bond of petitioner was got cancelled vide order dated 11.03.2022 because attendance of two witnesses was filed on that date but no one could appeared on behalf of accused for cross-examination of witness and consequent thereupon the process of non bailable warrant of arrest was issued against him. It is submitted that no delay or latch has been committed by petitioner deliberately and the default so made in compliance of the conditions of bail bond was inadvertent. It is further submitted that petitioner undertakes to remain present physically before court as and when required into the matter. It is, therefore, prayed that petitioner be allowed regular bail.

Learned Special Public Prosecutor opposed the prayer for bail.

Heard the parties and perused the record. On the perusal of record it transpires that the bail bond of petitioner was got cancelled vide order dated 11.03.2022 and subsequent thereto the process of non-bailable warrant of arrest against him was issued by this court. The petitioner has surrendered before this court and is in custody since 23.03.2021. From the perusal of record it transpires that petitioner was admitted to bail by this court earlier and solitary instance of default is alleged to have been made which resulted into cancellation of his bail

bond. It has been submitted that the default was not made deliberately and it has been undertaken that petitioner will remain physically present till final disposal of the case. It is, therefore, ordered that upon furnishing bail bond of Rs. 10,000/- with two sureties of the like nature the petitioner be admitted to regular bail. It is further directed that the bailors of petitioner shall be local persons having sufficient means and one of his bailors shall be his close relatives having sufficient means. The petitioner is further directed to deposit the cost of Rs. 1,000/- before Nazarat.

Dictated

(Deepak Kumar Singh)
Addl. Sessions Judge-I
Vaishali at Hajipur.
27.06.2022