IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57849 of 2026

Arising Out of PS. Case No.-81 Year-2005 Thana- KATIHAR GRP CASE District- Katihar

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Mahrul @ Golikera @ Mahrul Islam @ Goli Kura S/o Mojibul Rahman Resident of Village - Kachna, P.S. - Islampur, District - Uttar Dinajpur(W.B.).

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Bimal Kumar, Advocate
For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 19-08-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. In the present case, the petitioner seeks bail in connection with G.R. Case No. 116 of 2005 arising out of Rail Katihar P.S. Case No. 81 of 2005, registered for the offences under Sections 20, 22 of the NDPS Act.

3. The instant petition relates to misuse of privilege of bail. The petitioner was granted bail but the bail bond of the petitioner was cancelled on 22.04.2022 as it appears from the rejection order and the petitioner was declared absconder by the order of learned Additional Sessions Judge-VIII, Katihar in G.R. Case No. 116 of 2005 on 18.06.2025.

4. The petitioner, at the outset, tenders his unqualified apology and submits that the misuse of bail was not deliberate

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as the petitioner went outside the State to earn his livelihood and thereafter, he was not properly informed and for this reason his bail bond was cancelled. Petitioner undertakes to regularly appear before the learned trial court and not to misuse the privilege again, if granted bail. The petitioner further undertakes that he would not commit this mistake in future and he will remain physically present before the learned trial court on each and every date. Learned counsel further submits that the petitioner is in custody since 29.06.2026.

5. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-VIII, Katihar/concerned court, in connection with G.R. Case No. 116 of 2005 arising out of Rail Katihar P.S. Case No. 81 of 2005, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close

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relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned and the petitioner would be taken into custody.

(Arun Kumar Jha, J)

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