

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42354 of 2015

Arising Out of PS.Case No. -7 Year- 1980 Thana -GAYA MUFFSIL District- GAYA

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Dhaneshar Yadav S/o Somar Yadav Resident of village Manjhauli, P.S.
Tainkuppa (Wazirganj), District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. Nityanand Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-09-2015 Learned counsel for the petitioner is permitted to

make necessary corrections in the prayer portion of the bail

petition during the course of the day.

Heard both sides.

The petitioner seeks bail in a case under Section 395

of the Indian Penal Code.

The petitioner was granted bail by the learned court

below and the case was committed to the Court of Sessions on
02.07.1981. Thereafter, the petitioner did not appear. It is
submitted that the petitioner never received any summons and
there is no execution report of eitherailable warrant of arrest or
non-ailable warrant of arrest. Even the execution report of
attachment under Sections 82 and 83 of the Code of Criminal
Procedure is not on record. The petitioner is in jail since

23.06.2015.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Assistant Sessions Judge II, Gaya in Moffasil P.S. Case No. 07 of 1980, corresponding to Sessions Trial No. 39 of 1985.

(Prabhat Kumar Jha, J)

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