

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40045 of 2014

Arising out of P.S. Case No. -623 Year- 2013 Thana -Katihar
District- Katihar

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Rohit @ Lelhu Son of Kailash Mandal Resident of Mohalla -
Hariganj Chowk, Koriya Tola, P.S. - Katihar, Dist.- Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE AKHILESH CHANDRA
ORAL ORDER

5 25-02-2015 Owing to call of Co-ordination
Committee to abstain Court's work, none turned up
on behalf of the parties.

This application has been filed for the
grant of regular bail to the petitioner who has been
made an accused in a case registered for the
offences punishable under Sections 363/366(A) of
the Indian Penal Code.

Perused the record. Taking into
consideration the peculiar circumstances of the
case, I find it proper to dispose of this Bail
Application.

Initially, vide order dated 2nd May,
2014, passed in Cr. Misc. No. 8376/2014, the
petitioner's prayer under Section 438 of the Code of
Criminal Procedure was allowed, but, for some
unavoidable circumstance he failed to avail the
privilege within stipulated period.

A prayer was made by filing Cr. Misc.
No. 32392/2014 for extension of the period to avail
the privilege, it was extended till 27th August, 2014,
conditionally vide order dated 7th August, 2014, but,

as appears from the contents of the Bail Application, he failed to avail due to poverty and other unavoidable circumstance, and for such lapses (non-deposit of Rs. 8000/- with District Legal Services Authority, Katihar), petitioner is in custody since 20th August, 2014 i.e. for about six months. This compelled me to order for his release on bail. From para -3 of the instant application, it appears petitioner carries no criminal antecedent.

If, it is so, having regard to the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of **Chief Judicial Magistrate, Katihar, in connection with Katihar Town P.S. Case No. 623/2013,** with a condition to remain physically present before the court below on each and every date at least for two years or till disposal of the case, in case of failure on two consecutive dates without giving any reasonable explanation, the liberty granted shall be deemed to be cancelled.

Rajeev/-

(Akhilesh Chandra, J.)

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