

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43989 of 2015

Arising Out of PS.Case No. -199 Year- 1998 Thana -KORHA District- KATIHAR

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1. Suresh Rai S/o Late Sadhu Rai R/o Kheria, P.S.- Korha, Distt- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Anand Kishore Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 23-09-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

It is a case of misuse of privilege of bail and it appears that bail bond of the petitioner was cancelled on 17.11.2003 when he made himself absent from the proceedings of the court as a result of which the trial court could not succeed even to frame charge against him. The petitioner could be remanded in this case on 14.08.2015 after great efforts.

Moreover, it is a case of Section 379 of the Indian Penal Code and, therefore, I direct the Sub Divisional Judicial Magistrate, Katihar to proceed with the trial of the petitioner and try to conclude the same within four months from the date of receipt/production of copy of this order even by separating the

trial of the petitioner from other accused and if the trial of the petitioner is not concluded within the above stated period of four months, the concerned court shall release the petitioner on bail fixing the amount of bail bonds on its own level.

With the aforesaid observations, this petition filed in connection with Korha P.S. Case No. 199 of 1998 stands disposed of.

(Hemant Kumar Srivastava, J)

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