

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49250 of 2015

Arising Out of PS.Case No. -4 Year- 1998 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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1. Pappu Singh Son of Ram Babu Singh, Resident of Village - Sadikpur,
P.s. - Barh, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra

For the Opposite Party/s : Mr. Yogendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 05-11-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 364/34 of the Indian Penal Code and
Section 27 of the Arms Act.

It appears that with respect to the aforesaid case the
petitioner was granted bail by this Court vide 16.8.2004 vide
Cr. Misc. No.3234 of 2004. The petitioner was taken into
custody on 5.11.2006in another case. While the petitioner was
in custody in another case, bail bonds of the petitioner was
cancelled on 31.7.2009. The petitioner filed an application on
11.8.2011 requesting him to remand in Harnaut (Chero) P.S.
Case No.4 of 1998 and the trial court vide order dated

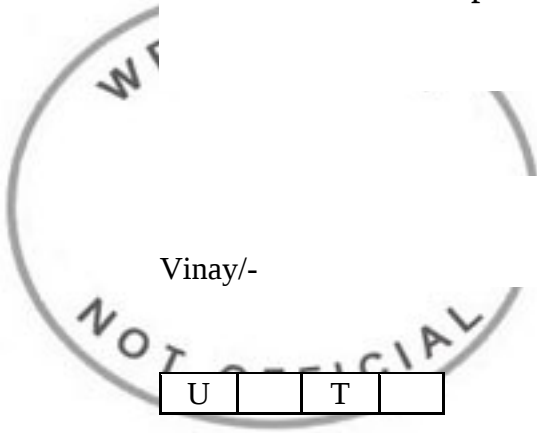
7.8.2012 remanded the petitioner in the present case. Later on he has filed an application for his release which has been rejected vide order dated 2.9.2015.

Learned counsel for the petitioner submits that there is no laches on the part of the petitioner rather on account of his custody in another case he remained absent and no one from his side has taken proper steps. In the present case he is in custody since 5.11.2007.

Having considered the facts and circumstances of the case, let petitioner, Pappu Singh, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional District Judge, Nalanda at Biharsharif in connection with S.T. No.364 of 2003, arising out of Harnaut (Chero) P.S. Case No.4 of 1998, subject to the conditions that

- (i) one of the bailors shall be a close relative of the petitioner
- (ii) If the petitioner is found involved in future in similar type of case the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order including cancellation of bail and
- (iii) petitioner would participate in the court proceeding and in the event of being absent on two consecutive dates, the court

below will be at liberty to cancel the bail bonds of the petitioner.



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(Shivaji Pandey, J)