

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47823 of 2014

Arising Out of PS.Case No. -140 Year- 2001 Thana -AMARPUR District- BANKA

1. Julmi Panjiyara Son of Shivnandan Panjiyara resident of village-
Nagardih, Police Station- Fulidumar, District- Banka

.... .. Petitioner/s

Versus

1. The State of Bihar

.... .. Opposite Party/s

Appearance :

For the Petitioner/s : Shri. Viveka Nand Singh

For the Opposite Party/s : Shr Uday Pratap Singh, APP

CORAM: HONOURABLE SHRI. JUSTICE DHARNIDHAR JHA
ORAL ORDER

2 03-03-2015 Heard.

The case was fixed for charge. There was a specific direction as may appear from the rejection order to accused to remain physically present. In spite of that the petitioner along with others filed a petition under Section 317 Cr.P.C. which was dismissed and charges were framed. Warrant of arrest was issued after cancelling the bonds of the accused persons, whose representation petition had been rejected. All these happened on 14.8.2006. The petitioner was evading the process of law as late as

up to 2.7.2014 i.e. almost eight years when he was arrested and produced before the court below on 2.7.2014. His prayer for bail was dismissed by the Additional Sessions Judge-V, Banka in Sessions Trial No. 925 of 2005/ Tr. No. 73 of 2014.

The submission is that such a co-accused has been admitted to bail by a Bench of this Court in Cr. Misc. Petition No 21543 of 2014, a copy of which has been enclosed as Annexure-2 to the present petition.

Regard being had to the facts and circumstances and considering that a similarly situated co-accused has been admitted to bail by a Bench of this Court, let the above named petitioner be released on bail on his furnishing a bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-V, Banka, in connection with Sessions Trial No. 925 of 2005, arising out of Amarpur P.S. Case No. 140 of 2001. The order of bail is with the condition as under:-

1. That the petitioner shall remain physically present on each and every date if at all any reason arises for filing a petition under Section 317 Cr. P.C. the same has to be filed before the trial court. The trial shall seek production of satisfactory grounds as regards the petition to be filed.

2. Any breach of the above conditions shall be sufficient for cancelling the bond of the petitioner and for committing the petitioner to the custody and to proceed with the trial.

(Dharnidhar Jha, J)

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