

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45129 of 2015

Arising Out of PS.Case No. -79 Year- 1997 Thana -MAHISI District- SAHARSA

Nakchhedi Rai Son of Late Manu Rai, Resident of Village- Birgown, P.S.-
Jalay, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Pushpa Sinha (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 29-09-2015

Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

It is a case of misuse of privilege of bail. It
appears from perusal of the impugned order that the bail bond of
the petitioner was cancelled on 18.11.2006 and subsequently, his
case was separated from the case of other accused. On
26.11.2012 he was declared absconder. The petitioner was
apprehended by the police on 20.6.2015 on the strength of
process issued against him.

The contention on behalf of the petitioner is that
earlier the petitioner was on bail and his case was committed to
the Court of Sessions in the year 1999. The charge against the
petitioner was framed in the year 2001 and till the year 2006 only

one prosecution witness could be examined and after that the petitioner went outside the State in connection with his livelihood resulting in cancellation of his bail bond.

Considering the facts and circumstances of the case as well as the submissions of the parties, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Mahishi (Jalay) P.S. Case No. 79 of 1997 corresponding to Sessions Trial No. 14/1999 (Reg. No. 222/2015) to the satisfaction of Sri N.K.P.Singh, A.D.J.-II, Saharsa, subject to the condition that he shall appear before the trial Court on each and every date in person for a period of 9 months or till conclusion of the trial whichever is earlier and if he fails to do so on two consecutive dates without reasonable cause, the learned trial Court shall be at liberty to cancel the bail bond of the petitioner.

(Hemant Kumar Srivastava, J)

S.Pandey/-

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