

**IN THE HIGH COURT OF JUDICATURE AT
PATNA
Criminal Miscellaneous No.45963 of 2015**

Arising Out of PS.Case No. -32 Year- 2000 Thana -MURLIGANJ
District- MADHEPURA

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1. Shailendra Prasad Yadav @ Shalendra Prasad Yadav, S/o
Deo Narayan Yadav, R/o village- Laxmipur, Rahata, P.S. -
Kumarkhand, District – Madhepura.

Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.

For the Opposite Party/s : Mr. Mustaque Alam, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2. 06-10-2015 Heard learned counsel for the petitioner and
learned Assistant Public Prosecutor for the State.

This application for grant of regular bail arises
out of Murliganj P.S. Case No.32 of 2000, disclosing
offences under Sections 25(1-B)a, 26 and 35 of the Arms
Act.

A supplementary affidavit has been filed on
behalf of the petitioner in course of the day. Let it be kept
on record.

From the records it appears that the petitioner
was arrested on 25.04.2000, in connection with the case
aforesaid, and was granted regular bail by the Court of



learned Additional Sessions Judge-Ist, Madhepura, vide order, dated 31.07.2000. On 19.10.2013, his bail-bond came to be cancelled as he failed to appear before the court below, in course of trial. He subsequently surrendered on 31.08.2015. This is the background in which, the present regular bail application has been filed.

Learned counsel, appearing on behalf of the petitioner, has submitted that necessary Pairvi was being regularly made on behalf of the petitioner before the court below till 19.10.2013, by which time, not even a single witness was examined, though the charge was framed on 12.10.2004 itself. He submits that because of the communication gap between the petitioner and his Counsel, the petitioner failed to present himself before the court below on the date fixed for his appearance. He further submits, on the basis of instructions, that in future, the petitioner shall present himself before the court below for the purpose of trial on each and every date and will never absent himself from the course of trial.

In view of such submission, this application is allowed. The petitioner, abovenamed, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Sub-**

Divisional Judicial Magistrate, Madhepura in
connection with **Murliganj P.S. Case No.32 of 2000**
(G.R. Case No.362 of 2000).

This is subject to the condition that the
petitioner shall present himself before the police/Court, as
the case may be, as and when required, and in the event
of failure on his part to appear before the Court, even on
single date, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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