

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42213 of 2012

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Prabhan Kumar Singh & Ors.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhinay Raj, Adv.

For the Opposite Party/s : Mr. Navin Kr. Pandey, App

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 03-04-2015

Considering that the petitioners undertake to physically

present on each and every date of trial, the order dated 04.02.2011 by which the Sessions Judge, Kaimur has cancelled the bail bonds of the petitioners in Sessions Trial No. 253 of 199, is hereby set aside.

The petitioners shall surrender in the Court below within a period of four weeks from the date of receipt of this order in connection with Sessions Trial No. 253 of 1999 where after they shall be released on bail on furnishing fresh bail bonds of Rs.5,000/- (five thousand) each with two sureties of the like amount each or any other surety to be fixed by the court below to the satisfaction of the learned Sessions Judge, Kimur, subject to the conditions as laid down under sections 438(2) Cr. P. C and (i) that one of the bailors will be a close relative of the petitioners, who will give an affidavit giving genealogy as to how he is related



with the petitioners. The bailors will undertake to furnish information to the court about any change in the address of the petitioners, (ii) that the affidavit shall clearly state that the petitioners are not accused in any other case and, if they are, they shall not be released on bail, (iii) that the bailors shall also state on affidavit that they will inform the court concerned if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse, (iv) that the petitioners will give an undertaking that they will receive the police papers on the given date and be present on date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse, and (v) that the petitioners shall be physically present on each and every date of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

The trial Court is directed to expedite the trial without granting unnecessary adjournment to any party and for which reason, the Trial Court is directed to send a list of remaining witnesses/ the witnesses fixing specific dates for production of the witnesses along with a copy of this order, to the Superintendent of

Police, Kaimur and the Superintendent of police, Kaimur is directed to ensure production of the witnesses on the date so fixed by the Trial Court so that there is no further delay in trial.

Prakash/-

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(Anjana Prakash, J)