

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.29139 of 2015**

Arising Out of PS.Case No. -171 Year- 2007 Thana -LAHERIMUHALLA District- NALANDA  
(BIHARSHARIFF)

=====

1. Sujeet Kumar @ Pinku S/o Dependra Prasad Resident of Mohalla  
Bichlikhandak, P.S. Biharsharif, District Nalanda.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Shardanand Jha(App)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**  
ORAL ORDER

3      27-10-2015                      Heard the learned counsel for the petitioner as well as  
  
the learned A.P.P.

This is a case of misused of privilege of bail. The bail  
bond of the petitioner was cancelled on 26.06.2012 as no pairvi  
was done on his behalf and he has surrendered on 13.05.2015 and  
since then he is in custody.

It is submitted that though the petitioner is in custody  
but up till now charge has not been framed resulting he is  
suffering in custody as it was ordered by the learned court below  
that till framing of charge the petitioner is not entitled to be  
released on bail.

The learned A.P.P. fairly submits that now the

petitioner has been sufficiently penalized.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of A.D.J. 5<sup>th</sup>, Nalanda at Biharsharif in S. Tr. No. 388 of 2010 arising out of Laheri P.S. Case No. 171 of 2007, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J)**

Abhay/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|