

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16575 of 2016

Arising Out of PS.Case No. -108 Year- 2013 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Ram Pravesh Ram, son of Jagdish Ram, resident of village – Barej, P.S.-
Mohania, District Kaimur at Bhabua.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap (App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**
ORAL ORDER

2 26-04-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under Section

395 of the Indian Penal Code.

The bail bond of the petitioner was cancelled on

18.1.2016 when the prosecution witness was present.

Contention on behalf of the petitioner is that the

petitioner was represented under Section 317 of the Cr.P.C. but

unfortunately, his learned counsel could not appear before the trial

court as a result whereof petition filed under Section 317 of the

Cr.P.C. was rejected following the cancellation of the bail bond of

the petitioner. Moreover, the petitioner is languishing in jail

custody since 2.2.2016.

Although learned Sessions Judge has mentioned in

the impugned order that petitioner voluntarily made himself absent from the proceeding but considering the aforesaid facts and circumstances as well as period of detention of the petitioner in jail custody, let the petitioner above named 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 Sessions Judge, Kaimur at Bhabua in connection with Sessions Trial no. 319/2013 arising out of Mohania P.S. Case No.108 of 2013 subject to the condition that petitioner shall attend the learned trial court in person on each and every date for the period of six months or till conclusion of his trial whichever is earlier and if he fails to do so on two consecutive dates without any reasonable explanation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Hemant Kumar Srivastava, J)

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