

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22542 of 2016

Arising Out of PS.Case No. -128 Year- 2011 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

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Yogendra Singh son of Ram Baran Singh, resident of Mohalla-
Balbhadrasarai, Police Station- Hilsa, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 22-06-2016

Heard.

The petitioner was earlier granted bail by this Court by order dated 23.09.2014 passed in Cr.Misc.No. 29028 of 2014 along with Cr.Misc.No. 23041 of 2014 (Annexure-1) with respect to a criminal prosecution registered under Sections 302/201/34/120(B) of the Indian Penal Code and accordingly he was released on bail by the learned court below.

While granting bail to the petitioner in the aforesaid criminal case by aforesaid order dated 23.09.2014, certain conditions were imposed and one of the conditions was that the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every date, and if on two consecutive dates, the petitioner fails to make pairvi, then the court below shall be at liberty to cancel his bail bonds.

It would be relevant to mention here that the criminal prosecution against the petitioner relates to triple murder, yet he was granted bail by this court by aforesaid order dated

23.09.2014. However, after being released from jail on bail by the court below, the petitioner did not make pairvi, as a result of which his bail bonds were cancelled on 22.12.2015 and therefore, by the impugned order, his prayer for bail has been rejected.

The learned counsel appearing on behalf of the petitioner has fairly submitted that now the case has been committed to the court of sessions.

It is not a case of simple misuse of privilege of bail, rather it is a case of deliberate violation of the terms and conditions imposed by this Court while granting him bail. In that view of the matter, this court is not inclined to accede to the prayer for bail made on behalf of the petitioner. Accordingly, his prayer for bail in connection with Hilsa P.S. Case No. 128 of 2011 is rejected.

However, the learned trial court is directed to expedite the trial of the petitioner and all endeavour should be made to conclude his trial within a period of one year from the date of framing of charge.

(Birendra Prasad Verma, J)

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