

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25091 of 2016

Arising Out of PS.Case No. -33 Year- 2006 Thana -MATIHANI District-
BEGUSARAI

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1. Ram Pujan Singh, Son of Ram Binod Singh @ Ram Bilash Singh.

2. Ashwani Singh, Son of Late Uma Kant Singh.

Both residents of Village - Sihma, P.S. - Matihani, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s :Mr. Sandip Kumar Gautam, Adv.

For the Opposite Party/s :Mr. Kumar Ranjit Ranjan (APP)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 09-06-2016

Heard the parties.

This application, for grant of regular bail, arises out of Matihani P.S. Case No.33 of 2006 (Session Trial No.668 of 2008), disclosing offences under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

For none attendance of these petitioners on 01.03.2016, learned Sessions Judge, Begusarai, has cancelled their bail bonds. Their subsequent application for

grant of bail has been rejected by learned Sessions Judge, Begusarai, *vide* an order, dated 18.04.2016, with an observation that they may renew their prayer for bail after framing of the charge.

Learned counsel, appearing on behalf of the petitioners, has submitted that ever since the petitioners were allowed to go on regular bail by this Court's order, dated 25.06.2007, they always remained present before the Court either personally or through their counsel. It has further been submitted that earlier charge was framed and trial had also commenced, but because of subsequent filing of an application, under Section 319 of the Code of Criminal Procedure, for summoning of other accused persons to face trial, trial has not concluded. He has submitted that charge has not been framed because one of the accused persons, namely, Bumbum Singh @ Rama Shankar Singh, has absconded.

Considering the submission, as above, this application is allowed. The petitioners, abovenamed, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **Sri Krishna Gopal Dwivedi, learned Sessions Judge, Begusarai**, in connection with **Sessions Trial No.668 of 2008, arising**

out of Matihani P.S. Case No.33 of 2006.

This is subject to the condition that the petitioners, abovenamed, shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court, on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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