

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58258 of 2015

Arising Out of PS.Case No. -125 Year- 2003 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

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1. Umesh Yadav Son of Late Shivnandan Yadav
2. Karu Yadav Son of Ramsagar Yadav Both resident of village - Sundar
Bigha, P.S.- Islampur, District - Nalanda

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s Mr. Renu Kumari(App)

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

ORAL ORDER

2 01-02-2016 Heard learned counsel for the petitioners and learned
A.P.P. representing the State.

The petitioners seek bail in connection with Islampur
P.S. Case No. 125 of 2003 registered for the offences punishable
under Sections 323, 324, 384/34 of the Indian Penal Code.

This is a case of misuse of privilege of bail. The bail
bond of the petitioners was cancelled on 6.7.2006 and thereafter
they were declared absconder by order dated 30.11.2010 and then
they were arrested and are in custody since 20.8.2015.

Submission is of false implication and that the
petitioners have not misused the privilege of bail intentionally
rather due to unavoidable circumstances they remained absent and

as such, considering their detention now they deserve sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the long period of abscondance, this Court is not inclined to enlarge the petitioner on bail and accordingly their prayer for bail stand rejected in connection with Islampur P.S. Case No. 125 of 2003 (G.R. No. 897 of 2003) pending in the Court of A.C.J.M. Hilsa.

However, considering the period of detention of the petitioners the trial court is directed to expedite the trial.

(Jitendra Mohan Sharma, J)

siddharth/-

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