

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 27516 of 2016

Arising out of P.S. Case No. - 1 Year - 1999 Thana - BEGUSARAI GRP CASE District - BEGUSARAI

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Pankaj Singh, Son of Ram Balak Singh, Resident of Village - Madhurapur,
P.S. - Teghra, District Begusarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar, Advocate

For the Opposite Party : Mr. Pranav Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 16-09-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecution for the State.

The petitioner seeks bail in a case instituted for the offences punishable under Section 392 of the Indian Penal Code.

Petitioner was made accused in course of investigation of Barauni Rail P.S. Case No. 01 of 1999 and he surrendered before the court below on 21.05.1999. Subsequently, he was granted bail but it is alleged that he voluntarily and willingly absented himself from the proceeding as a result whereof his bail bonds was cancelled and lastly he was declared absconder on 02.04.2016. Petitioner was remanded in the above stated case on 28.04.2016 and since then he is languishing in jail.

Submission on behalf of the petitioner is that the petitioner had been regularly coming to attend his case before the

learned court below but unfortunately in the year 2001, the case record of the petitioner was got missing which could be traced out in the year 2006 and between the aforesaid period petitioner could not know the exact position of the record of the case. It is further submitted that as soon as petitioner got knowledge about the record, he appeared before the learned court below. To fortify the above contention, he produced certified copy of order-sheet of the court below and drew my attention towards order dated 16.11.2001/18.02.2006.

Considering the aforesaid facts and circumstances as well as submissions of the parties, 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 the learned Judicial Magistrate, Barauni in connection with Barauni Rail P.S. Case No. 01 of 1999.

(Hemant Kumar Srivastava, J.)

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