

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33077 of 2016

Arising Out of PS.Case No. -49 Year- 2004 Thana -BHAPATIYAH I District- SUPAUL

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Ramroop Sah Son of Late Bholi Sah Resident of Village-Pipra Khurd,
P.S.-Bhaptiyahi, District-Supaul

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun, Adv.

For the Opposite Party : Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 20-08-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 30.05.2016 in connection with Bhaptiyahi P.S. Case No. 49 of 2004 for the offences alleged under Sections 302, 201 and 34 of the Indian Penal Code.

3. It is submitted that the petitioner was granted bail by this Court on 28.03.2007 and thereafter continued to appear before the learned Court below regularly. By reason of failure to attend the Court on a single day on 10.11.2014, the bail bond of the petitioner was cancelled on 29.03.2016, thereafter *suo motu* surrendered on 30.05.2016 and has been in custody since then. It is submitted that the default in appearance before the Court below was *bona fide* and not intentional and resulted from failure of

information from the pairvikar.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-III, Supaul in connection with Bhaptiyahi P.S. Case No. 49 of 2004 corresponding to Sessions Trial No. 472 of 2006 with the following conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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