

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46855 of 2016

Arising Out of PS.Case No. -243 Year- 1997 Thana -SONEPUR District- SARAN

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Vidya Singh @ Bidya Singh @ Vidya Nand Singh, Son of Late Raghu Nath Singh

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha

For the Opposite Party/s : Mr. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 26-10-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Section 307 and other allied sections of the Indian Penal Code.

It is shocking to see that the present case was lodged in the year 1997 and the petitioner attended the court till the year 2007 but in spite of that his case was not committed to the court of sessions. Subsequently, on 07.02.2007 petitioner made himself absent from the proceeding resulting cancellation of his bail bond. However, petitioner surrendered before the court below on 16.09.2016 and since then he is languishing in jail custody. No doubt, petitioner is said to have committed misuse of privilege of bail for nine years but simultaneously, it is obvious that he

attended the court till the year 2007 i.e. for more than ten years.

Therefore, considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Shri Rakesh Kumar Yadav, Judicial Magistrate 1st Class, Saran at Chapra in connection with Sonepur P.S. Case No. 243 of 1997.

However, the court below is directed to commit the case of the petitioner to the court of sessions in accordance with law without any delay. The learned Sessions Judge, Saran, Chapra is directed to ensure the compliance of order of this court.

(Hemant Kumar Srivastava, J)

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