

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6578 of 2016

Arising Out of PS.Case No. -466 Year- 1998 Thana -DANAPUR District- PATNA

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1. Madan @ Madan Kumar @ Gabbar Son of Late Late Ramdeo Prasad,
Resident of Village - Sachchai Mathia, Police Station - Kurtha, District –
Arwal Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay
For the Opposite Party/s : Mr. A.A.Khan (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 25-02-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Danapur P.S.
Case No. 466 of 1998 registered for the offences punishable
under Section 395 of the Indian Penal Code and Section 412 IPC
was added later on.

Earlier the prayer of bail of the petitioner was rejected
vide order dated 24.04.2001 passed in Cr. Misc. No. 6174 of 2001
with observation that if the trial is not concluded within six
months of the charge then if the petitioner files application of bail
in the lower court and delay is not attributable to him, the learned
court below will release him on bail on a bond to its satisfaction
and may also impose such condition and conditions which may be
deemed proper to ensure future participation of the petitioner in

the trial but the petitioner did not file any bail application in the court below and he escaped from custody on 25.02.2003. However, he was apprehended and remanded in this case on 21.05.2009 and since then he is in custody and up-till-now the trial has not been concluded.

In the facts and circumstances stated above, considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI, Danapur in S. T. No. 988 of 1999 arising out of Danapur P.S. Case No. 466 of 1998, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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