

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47989 of 2016

Arising Out of PS.Case No. -201 Year- 1995 Thana -SIWAN MUFFASIL District- SIWAN

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Ram Briksh Nonia son of late Sahdeo Nonia residence of village - Barahni
Bazar, Police Station - Siwan Muffasil, District - Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Prasad Yadav

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 23-11-2016 Heard Mr. Shambhu Prasad Yadav for the petitioner and

Mr. Shailendra Kumar APP for the State.

It is a case of misuse of bail. Having been made accused of Siwan Mufassil P.S. Case No. 201 of 1995 registered under sections 457 and 380 IPC, the petitioner was lodged in custody in 1995 and was released on bail on 19.12.1996. The case was committed on 25.06.1998. Some of the accuseds were not apprehended and, as such, the court directed for separation of the case sometime in 2002 which, however, could not be done. Ultimately, the court having found that the petitioner defaulted in appearance cancelled the bail bonds on 24.06.2008. On being arrested, he is lodged in custody since 18.08.2016

It is stated that at least for 13 years continuously the

petitioner appeared in the proceeding. In order to earn a livelihood, he had gone outside which ultimately led to cancellation of his bail. The petitioner would comply with any condition that may be imposed for granting him bail.

Considering the facts and circumstances of the case, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Sri A.K.Gupta, J.M. 1st Class, Siwan in Tr. No. 1138 of 2016 (G.R.No. 2533 of 1995/Siwan Mufasil P.S. Case No. 201 of 1995) subject to the condition that one of the bailors shall be either the Mukhiya, Up-Mukhiya or the Ward Member of the Panchayat to which the petitioner belongs. The petitioner shall appear in person before the court below on each date fixed thereat. In case of default in doing so, without there being any compelling reason therefore, the court below shall have liberty to cancel his bail bonds.

(Kishore Kumar Mandal, J)

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