

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10925 of 2016**

Arising Out of PS.Case No. -295 Year- 2001 Thana -BARBIGHA District- SHEIKHPURA

1. Ramashish Dharhi S/o late Ram Rup Dharhi R/o Chhotki Malma, PS  
Sarmera District Nalanda.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dinkar Kumar

For the Opposite Party/s : Mr. Ajay Kr. Jha (App)

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

2      09-03-2016      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  
offence punishable under Section 395 of the Indian Penal Code.

Petitioner is not named in the first information report  
and claim of the petitioner is that he was earlier granted bail but  
subsequently, no process was ever served upon the petitioner as a  
result whereof, he could not appear before the court below  
resulting cancellation of his bail bond and subsequently, he was  
declared absconder. Furthermore, submission on behalf of the  
petitioner is that as a matter of fact, the case record went missing  
and subsequently, it was reconstructed on the direction of learned  
Sessions Judge and moreover, petitioner was arrested by the police

on the basis of permanent warrant and remanded in this case on 27.09.2015 and since then he is languishing in jail custody.

Considering the aforesaid submissions as well as observations given by learned court below in the impugned order, 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 Chief Judicial Magistrate, Sheikhpura in connection with Barbigha (Jairampur Morh) P.S. Case No. 295 of 2001.

**(Hemant Kumar Srivastava, J)**

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