

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10901 of 2016

Arising Out of PS.Case No. -188 Year- 2001 Thana -KHAGARIA District- KHAGARIA

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1. Pappu Sah @ Pappu Kumar Soni S/o Karpurchand Sah, R/o Vill. - Main Road Bishanpur, P.S. - Begusarai Town District - Begusarai, Presently residing in Mohalla - Gandhi Nagar (Sector - 5) under District - Ahmadabad (Gujrat). Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Shakir Ahmad(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 05-04-2016

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 08.02.2016 in a case registered for the offences punishable under sections 498A, 304B of the IPC.

The prosecution case is of killing the daughter of informant within two years of marriage for non-fulfillment of dowry demands.

The petitioner was granted anticipatory bail vide order dated 06.08.2002 by a coordinate Bench of this court in Cr. Misc. No. 29447 of 2001 but he did not surrender and furnish bail bonds and ultimately the period of surrender was extended vide order dated 25.03.2003 passed in Cr. Misc. No. 32822 of 2003 but even then the petitioner did not surrender and furnish bail bonds and kept on absconding but ultimately he was arrested on 08.02.2016 when he came to his native place to attend the marriage ceremony

of his brother.

It is submitted by learned counsel for the petitioner that under certain misconception the petitioner could not furnish bail bonds but on merits he was granted anticipatory bail and now the petitioner undertakes to appear regularly before the court below and will not leave the State of Bihar without permission of learned court below.

Considering the fact that petitioner is in custody for non executing bail bonds, though, he was granted anticipatory bail on merits, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Khagaria in connection with S. T. No. 170 of 2011 arising out of Khagaria (KGR) P.S. Case No. 188 of 2001.

Learned court below is directed to split up the trial of the petitioner and take the trial on day to day basis. Learned court below shall positively cancel the bail bonds of the petitioner if he defaults without any reasonable cause on two consecutive occasions.

(Dinesh Kumar Singh, J)

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