

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15434 of 2016

Arising Out of PS.Case No. -10 Year- 2007 Thana -JEHANABAD GRP CASE District-
JEHANABAD

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Vijay Chaudhary, Son of Sudama Chaudhary.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Ram Anurag Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 18-04-2016

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 395 of the Indian Penal Code
and Section 27 of the Arms Act.

Petitioner was earlier granted privilege of bail but
after framing of the charge, he misused his privilege of bail
making him absent from the trial as a result of which, his bail
bond was cancelled on 25.02.2010 and subsequently, he was
arrested by the police and produced before the trial court on
13.02.2012. The trial court released him on bail on 13.03.2012 but
again on 13.08.2012, petitioner made himself absent from the trial
as a result of which his bail bond was cancelled and he was
declared absconder on 11.12.2013. However, on the strength of

permanent warrant issued against the petitioner, he was caught by the police and produced before the trial court on 26.09.2015 and since then he is languishing in jail custody.

Contention on behalf of the petitioner is that petitioner does not have any criminal antecedent and as a matter of fact, he had gone outside the State in connection with his livelihood entrusting his pairvi to his advocate's clerk but unfortunately, his bail bond was again cancelled and he was declared absconder. Moreover, it is assured on behalf of the petitioner that petitioner shall appear before the trial court on each and every date till conclusion of his trial and shall furnish sureties of his close relative.

Considering the aforesaid facts and circumstances as well as submissions of the parties, particularly, keeping in mind that petitioner does not have any criminal antecedent, 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 Additional Sessions Judge-IV, Jehanabad in connection with Sessions Trial No. 100 of 2008 arising out of G.R.P. Jehanabad P.S. Case No. 10 of 2007, subject to condition that he shall attend the trial court on each and every date in person for the period of seven months or till conclusion of his trial

whichever is earlier and if he fails to do so on two consecutive dates without any genuine cause, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner. However, it is made clear that one of the sureties must be close relative of the petitioner.

(Hemant Kumar Srivastava, J)

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