

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50660 of 2015

Arising Out of PS.Case No. -22 Year- 2009 Thana -CHENARI District- SASARAM (ROHTAS)

Binod Mahto @ Binod Kumar Singh, son of Sri Prabhu Chand Singh,
Resident of Village - Ugahani, P.S. - Chenari, District - Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner : Mr. Yogesh Chandra Verma, Sr.Advocate
Mr. Rajani Kant Singh, Advocate
For the State : Ms. Gulnar Begum(APP)
For the Informant : Mr. Rajesh Kumar Singh, Advocate

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 20-01-2016 Heard learned counsel for the petitioner and the

learned counsel for the informant as well as the learned counsel
appearing on behalf of the State.

The petitioner is apprehending his arrest in
connection with S.Tr. No.440 of 2010 arising out of Chenari
P.S. Case No.22 of 2009 for allegedly having committed the
offence under Sections 364 and 366A/34 of the Indian Penal
Code.

It is submitted on behalf of the petitioner that though
final form had been submitted earlier and the petitioner had not
been sent for trial, subsequently a petition was filed under
Section 319 Cr.P.C., which was once rejected and thereafter



another petition under Section 319 Cr.P.C. was submitted, which was allowed by the learned trial court and, thus, the petitioner is presently apprehending his arrest. Learned counsel further submits that whatever may be the legal evidence available, the petitioner is willing and ready to co-operate with the trial and shall present himself on all relevant dates, as and when required by the court. It is further submitted that the petitioner shall not abstain himself from attending the court and if he does so, on two consecutive dates without there being any just and valid cause, it shall be open to the court below to alter/modify this order, so that it may proceed with the trial without there being any obstruction at the end of the petitioner.

In view of the submissions made by the learned counsel for the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Rohtas at Sasaram, in connection with S.Tr. No.440 of 2010 arising out of Chenari P.S. Case No.22 of 2009, subject to the conditions as laid down

under Section 438(2) of the Code of Criminal Procedure.

It is made clear that if the petitioner fails to attend the court for two consecutive dates without just and valid cause, the court below shall proceed to take appropriate action and the present order shall be deemed to have been withdrawn by this Court.

(Anjana Mishra, J)

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