

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20002 of 2017

Arising Out of PS.Case No. -36 Year- 2007 Thana -KORANSARAI District- BUXAR

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1. Sambhu Kishore Thakur, Son of Ram Avtar Thakur, Resident of Village-
Parshowani, Police Station- Bishfi, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ Manu

For the Opposite Party/s : Mr. Sri Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-05-2017 The petitioner is in custody since 03.02.2017 in
connection with Koran Sarai P.S. Case No. 36 of 2007, registered
for offences punishable under Section 395 of Indian Penal Code.

It has been submitted by learned counsel for the
petitioner that this is case of misappropriation of privilege of bail,
however, the petitioner had himself surrendered before the court
below and has been in custody for two and half months.

Heard learned A.P.P. also.

Having heard both sides, from perusal of the impugned
order, it appears that this case was fixed for recording the
statement of accused persons under Section 313 Cr.P.C. but since
the petitioner and other had not appeared, their bail bonds were
cancelled. Considering the aforesaid aspect of the matter, I am not



inclined to grant the petitioner the privilege of regular bail at least at this state.

However, petitioner may renew his prayer for bail in the court below itself after recording the statement of accused persons under Section 313 Cr.P.C. and if the statement has already been recorded, learned Trial Court may release the petitioner on bail.

(Vinod Kumar Sinha, J)

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