

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17293 of 2017

Arising Out of PS.Case No. -15 Year- 2000 Thana -BISFI District- MADHUBANI

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1. Musafir Sahni Son of Late Garbhu Sahni, Resident of Village-Kateya (Jagwan), P.S. Bisfi, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 05-05-2017 Heard learned counsel for the petitioner as well as the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence punishable under Section 395 of the Indian Penal Code.

From perusal of the impugned order, it reveals that the petitioner misused the privilege of bail since 17.12.2002, resulting which, his bail bond was cancelled on 20.12.2003 and on 21.09.2004, process under Section 82 and 83 of the Cr.P.C was issued. The petitioner has been apprehended on 19.10.2016 and since, then he is in custody.

Submission is that on 31.05.2011 the bail bond of the petitioner was cancelled and the petitioner is in custody since, 19.10.2016. The certified copy of the order dated 31.05.2011 has



been annexed as Annexure-3 to this application.

Learned A.P.P. for the State opposes the prayer for bail by submitting that as a matter of fact the bail bond of the petitioner was cancelled on 20.12.2003 itself, and it reveals that due to mistake of bench clerk on 31.05.2011, the bail bond of the petitioner was again cancelled.

In the facts and circumstances as stated above, I am not inclined to release the petitioner on bail.

Accordingly, his prayer stands rejected.

However, considering the fact that the case is very old, let the trial be expedited and concluded as early as possible preferably within a period of six months from the date of receipt/production of a copy of this order. In case, if other co-accused are absent, the trial of the petitioner may be split up so that the trial against the petitioner be concluded within the aforementioned time frame.

(Jitendra Mohan Sharma, J)

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