

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21869 of 2017

Arising Out of PS.Case No. -40 Year- 1999 Thana -KUDHNI District- MUZAFFARPUR

=====

1. Ram Sudin Baitha,
2. Vinod Baitha, Both sons of Late Rajendra Baitha,
3. Manoj Baitha, son of Fuku Baitha @ Thuku Baitha, All are resident of
Village- Dharmuha, Police Station- Kurhni, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raj Nath Sharma

For the Opposite Party/s : Mr. Sri Lalan Kumar

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-05-2017 The petitioners seek regular bail in connection with

Kurhani P.S. Case No. 40 of 1999, registered for offences

punishable under Sections 147, 148, 341, 323, 326, 307, 435

Indian Penal Code.

This is a case of misuse of privilege of bail.

It has been submitted on behalf of the petitioners that

earlier they have been regularly making *pairvi* of the case but as

they had gone out for earning their livelihoods as such they could

not make further *pairvi* of the case and hence their bail bonds of

the petitioners were cancelled and after knowing this fact,

petitioners themselves surrendered on 21.03.2017 and since then

have been languishing in judicial custody and now they are ready



to abide by any condition imposed on them.

Learned counsel for the State opposed the prayer for bail.

Having heard both sides, from perusal of the records, it appears that petitioners bail bonds were cancelled on 24.06.2011 and they were declared absconder on 01.09.2014. It further appears that this case is of the year 1999 and due to the non appearance of the petitioners, their case were separated from other accused persons, as such, considering the conduct of the petitioners, I am not inclined to release them on bail, their application for regular bail is accordingly rejected.

However, the petitioners may renew their prayer for bail before the court below itself, after framing of charge in this case and if any, such application is filed the court below shall consider the same and pass an appropriate order on the merit of the case, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

sunil/-

U		T	
---	--	---	--

