

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25641 of 2017

Arising Out of PS.Case No. -5 Year- 2000 Thana -DAUDPUR District- SARAN

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1. Guddu Rai Son of Lalman Rai, resident of Banwar, P.S. Daudpur,
District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar Tiwary

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 10-07-2017 The petitioner seeks regular bail in connection with

Daudpur P.S. Case No. 05 of 2000, registered for offences

punishable under Sections 341, 384, 34 of the Indian Penal Code.

This is a case of misuse of privilege of bail for thirteen

years.

It has been submitted on behalf of the petitioner that

earlier he was on bail and he has made *pairvi* for one year and,

thereafter, he went out of the State for earning his livelihood and

as such he could not make *pairvi* and after knowing the fact that

his bail bonds have been cancelled, he *suo motu* surrendered on

03.04.2017, since then he has been languishing in judicial custody

and is ready to abide by any condition imposed on him.

Learned counsel for the State opposed the prayer for bail.



Having heard both sides, from perusal of the record, it appears that the bail bond of the petitioner was cancelled on 22.04.2004 and in spite of process under Section 82 and 83 Cr.P.C., he did not appear and, thereafter, he was declared absconder and after thirteen years he has appeared in this case, as such, considering the conduct of the petitioner, at this stage, I am not inclined to release the petitioner on bail, his application for regular bail is, accordingly, rejected.

However, considering the fact that now he has remained in judicial custody for about four months, learned Trial Court is directed to expedite the trial and try to conclude it within a period of three months and if the trial is not concluded within the aforesaid period, the petitioner will be at liberty to renew his prayer for bail in the trial court itself.

At the same time, S.P. Saran, is directed to ensure the production of witnesses in the Trial Court on the date fixed so that the trial can be concluded within the aforesaid period.

(Vinod Kumar Sinha, J)

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