

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41338 of 2017

Arising Out of PS.Case No. -161 Year- 2006 Thana -SABOUR District- BHAGALPUR

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1. Binod Sah Son of Karu Sah, R/o Village- Parghari, P.S.- Sabour, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 12-09-2017 Heard the parties.

This application is for grant of regular bail in connection with Sabour P.S.Case no.161 of 2006, registered for the offences punishable under Sections 341, 323, 379 an 501 of the Indian Penal Code.

This is a case of misuse of privilege of bail by the petitioner and it appears that his bail bond was cancelled in the year, 2012 and thereafter the petitioner is in custody since 10.7.2017.

Submission of the learned counsel for the petitioner is that earlier the case was under compoundable Sections and the charge-sheet has been submitted under Section 307 of the Indian Penal Code. The petitioner had no knowledge about this so he



could not surrender in time, as such his bail bond was cancelled and now he has surrendered on his own and he is in custody since 10.7.2017. The charges have also been framed.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with direction the court learned trial court that if the trial is not concluded within a period of three months, he will release the petitioner on bail in connection with Sessions Trial No.660 of 2017 (arising out of Sobour P.S.Case no.161 of 2006) to the satisfaction of IIIrd Additional Sessions Judge, Bhagalpur.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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