

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36836 of 2017

Arising Out of PS.Case No. -14 Year- 2006 Thana -BARUN District- AURANGABAD

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Ashok Rajbanshi @ Hadda @ Ashok Rajbansi @ Harwa Son of late Badu Rajbanshi Resident of Village- Sankar Bigha, P.S.- Mehandia, District-Arwal, At Present Address Papera Khayal Bigha, P.S. Jamhor, District-Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari, Advocate

For the Opposite Party/s : Mr. Md. Arif, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-08-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner seeks bail in connection with Barun Jamhore P.S. Case No. 14 of 2006, Sessions Trial No. 309 of 2006/ 79 of 2006 registered for the offence punishable under Section 307 and other allied sections of the Indian Penal Code.

Earlier bail was granted to the petitioner in the year 2007 by this Court. Thereafter, it was cancelled on 08.10.2009 and petitioner was declared an absconder on 14.12.2013. Permanent warrant of arrest was issued and petitioner was arrested on 24.10.2016 and since then he is languishing in judicial custody.



It has been submitted by the learned counsel for the petitioner that he is a labourer and had gone out of village to earn money for his daughter's marriage and Advocate's clerk or the person entrusted for doing pairvi did not make pairvi on his behalf to which he had no knowledge. It is submitted that the petitioner will cooperate in the trial and appear on each and every date.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner was an absconder and has unnecessarily delayed the trial by so many years.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Aurangabad in connection with Barun Jamhore P.S. Case No. 14 of 2006, Sessions Trial No. 309 of 2006/ 79 of 2006, subject to the condition that one of the bailors would be a close relative of the petitioner, who would file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned Court below on each and every date and failure to appear before



the learned Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

Arjun/-

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