

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44247 of 2017

Arising Out of PS.Case No. -128 Year- 2011 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

=====

1. Yogendra Singh @ Yogendra Sharma, Son of Ram Baran Singh,
Resident of Mohalla- Balbhadrasarai, P.S.- Hilsa, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr. Sri Rajkishore Singh

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioner and the State.

The petitioner was earlier granted bail by this Court in Cr. Misc. No. 29028 of 2014 vide order dated 23.09.2014. However, the bail bond of the petitioner was cancelled in view of the condition laid down in the order dated 23.09.2014 i.e. the petitioner failure in attending the court proceeding either himself or through his counsel. The petitioner again approached this Court in Cr. Misc. No. 22542 of 2016 and the same was rejected vide order dated 22.06.2016 on the ground that he has misused the privilege of bail. While rejecting the prayer for bail, the court below was directed to expedite the trial and conclude the same within one year from the date of framing of charge.



Shri Ramakant Sharma, learned senior counsel appearing on behalf of the petitioner submits that on merit the Court has granted bail and the bail bond was cancelled on account of non-representation either by the petitioner or by the counsel representing him. After cancellation of his bail bond the petitioner has remained in jail for one and half year.

Considering the fact that the petitioner was earlier granted bail on merit and his bail bond was cancelled on account of failure in attending the court proceeding either himself or through his counsel, in that view of the matter, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-III Hilsa, Nalanda in Sessions Trial No. 287 of 2016, arising out of Hilsa P.S. Case No. 128 of 2011, subject to the following conditions (i) that the bailors should be the family members of the petitioner, (ii) that the petitioner will attend the court proceeding on each and every date fixed by the court and (iii) the petitioner will not in any manner tamper with the evidence or influence the witnesses. The court below is directed to see that the trial is concluded on priority basis without granting any adjournment to any party.



With the aforesaid observations, this application is
allowed.

(Anil Kumar Upadhyay, J)

KKSINHA/-

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

