

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44326 of 2017

Arising Out of PS. Case No.-70 Year-2012 Thana- MAUZAHDIPUR District- Bhagalpur

Abhisekh Kumar @ Chhotu Yadav @ Abhisekh Yadav Son of Late Yougesh Yadav, R/o Gonar Lal Lane Yougsar, P.S.- Adampur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. SRI MADAN KUMAR

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 on merit vide order dated 11.12.2012 in Cr. Misc. No. 46757 of 2012. The bail bonds of the petitioner has been cancelled on account of his failure to remain present in Court by himself or through his Advocate.

Considering that earlier the petitioner was granted bail on merits of the case and his bail bonds have been cancelled only on account of his absence in the court below, this Court is inclined to grant bail to the petitioner.

Accordingly, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge, Bhagalpur in connection with



Mojahidpur (Babarganj) P.S. Case No. 70 of 2012 corresponding to S.T. No. 96 of 2013, on the condition that the petitioner will appear on each and every date in the court below and extend full co-operation in the conclusion of the trial. The bailors should be family members of the petitioner and the petitioner will not, in any manner, tamper with the evidence or influence the witnesses.

The court below is also directed to expedite the trial to conclude the same as early as possible, preferably within a period of six months from the date of receipt/production of a copy of this order.

In the event the petitioner neglects the proceedings and does not attend the proceeding, the court below is directed to take appropriate action for ensuring his appearance in the court proceeding including cancelling his bail bonds on account of his failure to attend the court proceeding without any lawful justification.

With the aforesaid observation, the application is allowed.

(Anil Kumar Upadhyay, J)

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