

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29812 of 2017

Arising Out of PS.Case No. -18 Year- 2002 Thana -RAGHOPUR District- SUPAUL

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Laleshwar Yadav, S/o Bharati Yadav @ Bharthi Yadav, resident of
Village- Fulkahi, P.S.- Raghopur, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vivek Kumar

For the Opposite Party/s : Sri Asharaf Ansari

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 11-07-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with S.Tr. No.
68 of 2003, arising out of Raghopur P.S. Case No. 18 of 2002
registered for the offence(s) punishable under section(s)
366A/120B of the Indian Penal Code

The petitioner was on bail but as no *pairvi* was done
on his behalf in the case since 19.04.2011 resulting on 07.05.2011
his bail bond was cancelled. Non-bailable warrant was issued
therefore, process was issued and the petitioner has been declared
absconder vide order dated 18.02.2016 and permanent warrant of
arrest was issued. The petitioner has been arrested on 19.03.2017
and since then he is in custody.

Submission of the learned counsel for the petitioner is



that the petitioner remained present in the case since long. He was granted bail, vide order dated 13.01.2004, by this Court and he remained present in the case, but no progress was being done resulting the petitioner went outside for his livelihood. Petitioner's pairvikar left the parivi resulting bail bond of the petitioner was cancelled on 07.05.2011. The petitioner was not aware regarding the cancellation of his bail bond, there is no execution report and as such, the petitioner deserves sympathetic consideration.

The learned APP opposes the prayer of bail by submitting that the petitioner has remained absconding for six years and on the basis of permanent warrant of arrest he has been apprehended.

In the facts and circumstances stated above, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected. However the petitioner may renew his prayer for bail after remaining nine months in custody.

(Jitendra Mohan Sharma, J)

Mahesh/-

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