

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55309 of 2016

Arising Out of PS.Case No. -282 Year- 2015 Thana -CHAPRA TOWN District- SARAN

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Kriti Kumar @ Kirti Kumar, S/o Late Mahesh Prasad, R/o Village-
Butanbari- Sahebganj, P.S.- Chapra Town, District- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Yogendra Prasad Sinha

For the Opposite Party/s : Mr. Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 16-01-2017 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Earlier petitioner was granted bail vide order dated 14.07.2016 passed in Cr. Misc. No. 28313 of 2016 on certain conditions and one of the conditions was imposed upon the petitioner that he should not be an accused in similar nature of case and if he is found accused in similar nature of case, the court below shall not accept his bail bonds. Petitioner furnished bail bonds before the court below but in course of enquiry, it came to light that petitioner was accused in Chapra Town (Nagar) P.S. Case No. 332 of 2015 and the aforesaid fact was not disclosed by the petitioner at the time of passing order dated 14.07.2016 in Cr. Misc. No. 28313 of 2016. However, petitioner came before this



court and prayed for modification of order dated 14.07.2016 passed in Cr. Misc. No. 28313 of 2016 but his modification petition was dismissed passing order dated 23.08.2016 in Cr. Misc. No. 31782 of 2016. Thereafter, petitioner again moved before the court below for grant of bail but the learned court below rejected the prayer for bail of the petitioner passing order dated 17.09.2016 in B.P. No. 1651 of 2016.

Petitioner is in jail custody since 09.06.2016 and he has already been granted privilege of bail on merit but he could not be released from jail custody due to above stated condition.

Therefore, in the aforesaid circumstance, in the interest of justice, I think it proper to direct the court below to accept the bail bonds of the petitioner in connection with Chapra (Town) P.S. Case No. 282 of 2015 ignoring the above stated condition.

Accordingly, this petition filed in connection with Chapra (Town) P.S. Case No. 282 of 2015 stands disposed of.

(Hemant Kumar Srivastava, J)

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