

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46529 of 2016

Arising Out of PS.Case No. -6 Year- 2011 Thana -KHANPUR District- SAMASTIPUR

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Ravindra Sahni @ Ravindra Choudhry @ Bhukhi S/o Moti Lal Choudhary
Resident of Village-Suratpur, P.S.-Samastipur (Muffasil), District-
Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Paswan

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

02/ 21.06.2017

This matter has been listed for hearing out of
turn on the slip filed by the petitioner.

Heard learned counsels for the petitioner and
Mr. J.N. Thakur for the State.

This is an application for bail in a case of
misuse.

The petitioner was earlier granted bail in
connection with Khanpur P.S. Case No. 06 of 2011 registered
under Sections 395 and 412 of the Indian Penal Code vide order
dated 01.07.2013 passed in Cr. Misc. No. 14800 of 2013.

The prosecution case is that the informant
was robbed of cash, motorcycle, mobile and other articles when
motorcycle was recovered from the possession of co-accused



Manoj.

On submission of learned counsel for the petitioner that neither there is any recovery from the petitioner nor the petitioner was put up on TIP and that similarly situated accused has been granted bail, the petitioner was granted bail but considering the serious nature of criminal antecedents of the petitioner the learned trial court was given liberty to cancel the bail bond of the petitioner, if the petitioner gets substantially involved in similar nature of the offence or defaults for three consecutive occasions. The representation on behalf of the petitioner was rejected since he was earlier represented on three occasions, as a result the learned trial court vide order dated 6.2.2014 cancelled the bail bond of the petitioner. Thereafter the petitioner was produced before the learned court below on 31.08.2016 and consequently the petitioner preferred application for bail before the learned trial court but the same was rejected vide order dated 21.09.2016 on the ground of serious nature of accusation and that the petitioner has violated the conditions fixed by this Court.

It is submitted by learned counsel for the petitioner that though the petitioner is having serious criminal antecedent but he is on bail in all the cases, statement to that effect



has been made in paragraph 3 of the petition. The bail bond has been cancelled for a single default and the petitioner undertakes to appear regularly.

Considering the fact that the petitioner was earlier granted bail on merits, the bail bond has been cancelled for a single default and has remained in custody for about nine months, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd, Samastipur in connection with Sessions Trial No. 462 of 2012 arising out of Khanpur P.S. Case No. 06 of 2011.

The learned trial court will be at liberty to cancel the bail bonds of the petitioner in two eventualities i.e. if he defaults for two consecutive occasions or substantially gets involved in similar nature of offence.

It is made clear that no further bail application in case of misuse will be entertained.

(Dinesh Kumar Singh, J)

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