

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39957 of 2017

Arising Out of PS.Case No. -8 Year- 2002 Thana -BHAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Kedar Thakur Son of Late Binda Thakur, resident of Laukar, P.S.
Manpur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha

For the Opposite Party/s : Mr. Sri Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-08-2017 The petitioner seeks regular bail in connection with

Bhangha P.S. Case No. 08 of 2002, registered for offences

punishable under Section 364-A of the Indian Penal Code.

This is a case of misuse of privilege of bail. It appears
that since year 2002, he has been absconding and later on he was
declared absconder and permanent warrant was issued against
him.

It has been submitted on behalf of the petitioner is that he
is a labourer and lives out of State for earning his livelihood and
no warrant was issued and executed against him and without
execution, he has been declared absconder in this case and now he
has been in judicial custody since 09.02.2017 and now charges
have also been framed in this case.



Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case and also the long misuse of privilege of bail by the petitioner due to which the trial of other accused has to be separated from the trial of the petitioner, as such, I am not inclined to release the petitioner on bail, however, the trial court is directed to expedite the trial and try to conclude it within a period of six months and if the trial is not concluded within the aforesaid period, the petitioner will be at liberty to renew his prayer for bail in the court below itself and the court below after considering the facts and circumstances and materials available on record and also the period of custody of the petitioner, shall pass an appropriate order, without being prejudiced by the order of this Court.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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