

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9150 of 2017

Arising Out of PS.Case No. -70 Year- 2002 Thana -MANER District- PATNA

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1. Sipahi Rai, Son of Late Bhagwat Rai
2. Mohan Rai, Son of Sipahi Rai, R/o Village- Haldi Chhapra, Badal Tola,
P.S.- Maner, District- Patna Petitioners

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioners : Mr. Dharendra Kumar Sinha, Adv.

For the Opposite Party : Mr. Satyendra Prasad, APP 133

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

2 06-03-2017 Heard the learned counsel for the petitioners
and the State.

This is a petition for grant of regular bail for offences under Sections 447, 341, 323, 337 and 34 of the Indian Penal Code.

This is a case of misuse of privilege of bail.

The impugned order reveals that no process was ever served on the petitioners after cognizance. Hence, only on the ground that process under Section 83 of the Criminal Procedure Code was issued is no ground to refuse bail to the petitioners unless it is established that even after knowledge of cognizance the petitioners were deliberately avoiding the process of law or were evading the process.

Considering the aforesaid fact, the petitioners, above named, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand)



each with two sureties of the like amount each in connection with **Sessions Trial No. 1757 of 2010** arising out of Maner P.S. Case No. 70 of 2002 to the satisfaction of the **Additional Sessions Judge, II, Danapur, Patna,** or successor Court.

(Birendra Kumar, J)

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