

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11421 of 2017

Arising Out of PS.Case No. -36 Year- 2008 Thana -JAMALPUR RAIL P.S. District- LAKHISARAI

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Jugesh Mandal @ Jogaba Mandal @ Jugeshwar Mandal, S/o Late Laxmi Mandal, Resident of Village- Pariya, P.S.- Bariyarpur, District- Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 15-03-2017 Heard learned counsels for the petitioner and the State.

The petitioner, already in custody, seeks bail in connection with Rail Thana (GRP) Jamalapur Case No. 36 of 2008 registered under Sections 323, 341, 342, 353, 307/34 and 302 of the Indian penal Code.

This is a case of misuse of privilege of bail. The petitioner was granted bail in this case on merit on 22.03.2010 passed by a co-ordinate Bench of this Court in Cr. Misc. No. 8198 of 2010 with condition that he will appear before the Superintendent of Police, Munger during course of investigation every fortnight and will be physically present till framing of charge. But soon after, he jumped the bail as it appears from the impugned order rejecting the representation of the petitioner on



24.05.2010 and was taken into custody only on 11.08.2016.

Learned counsel appearing on behalf of the petitioner submits that he was granted bail on merit and it is a case of only misuse of privilege of bail and he has been in custody for last six months.

It appears that it is a gross misuse of privilege of bail and the impugned order reflects that up till now the charge has not been framed against him. So having considered the facts and circumstances, the prayer for bail of the petitioner at this stage is rejected.

However, the petitioner, if so advised, may renew his prayer for bail after framing of charge in this case.

(Arun Kumar, J)

Sujit/-

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