

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44989 of 2017

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Yashwant Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s Mr. Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02 13.09.2017 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

This petition under section 482 of the Cr.P.C has
been preferred for issuance of direction to learned Fast
Track Court II, Motihari to accept bail bond of the petitioner
in session trial no. 619/2016 in the light of order dated
31.3.2016 passed in Cr. Misc. no. 12894/2016.

Submission on behalf of the petitioner is that the
petitioner was accused in Ghorasahan P.S. Case no. 88/2015
and he was granted privilege of bail by this court vide order
dated 31.3.2016 passed in Cr. Misc. no. 12894/2016 but
unfortunately, bail bonds could not be furnished as the
petitioner was in custody in connection with other case also.
However, petitioner furnished bail bonds on 15.4.2017 but
learned Fast Track Court II, Motihari directed the petitioner



to get extension of his bail by this court and thereafter, petitioner has filed this petition under section 482 of the Cr.P.C.

No doubt, non-acceptance of bail bonds of the petitioner by learned Fast Track Court II, Motihari is amount to rejection of his bail bonds but, in my view, this court has got jurisdiction to rectify any error committed by the subordinate court by exercising power under section 482 of the Cr.P.C, even though there is other provision for rectification of the aforesaid delay.

Therefore, in the aforesaid circumstances, petition filed under section 482 of the Cr.P.C is allowed and accordingly, learned Fast Track Court II, Motihari is directed to accept bail bonds of the petitioner in the light of order dated 31.3.2016 passed in Cr. Misc. no. 12894/2016, if sessions trial no. 619/2016 has been arisen out of Ghorasahan P.S. Case no. 88/2015.

In the aforesaid manner, this petition stands disposed of.

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(Hemant Kumar Srivastava,J)

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