

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46642 of 2017

Arising Out of PS. Case No.-15 Year-2001 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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Yogendra Chaudhary @ Jogendra Chaudhary @ Yogendra, son of Late
Nathuni Chaudhary, Resident of village Gopalpur, P.S. Hussainganj, District
Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : SMT. ANITA KUMARI SINGH

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner is an accused in a case registered under
Section 47 (A) of the Bihar Excise Act.

It is a case of misuse of privilege of bail.

It is contended that bail was granted to the petitioner in
the present case on 1.7.2002 but due to improper pairvi on
behalf of the petitioner, the bail bond of the petitioner was
cancelled on 16.6.2008. It is further contended that the
petitioner is first offender and has almost completed four
months of incarceration whereas punishment for such offence
is for about six months.

In the facts and the circumstances of the case, the above



named petitioner is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 2nd Additional Sessions Judge, Siwan in connection with Trial No. 209 of 2017 arising out of C II – 15/2001, with a further condition that one of the bailors of the petitioner must be a close relative or family member of the petitioner who shall file affidavit before the concerned court giving complete genealogy to show his or her relationship with the petitioner.

If the petitioner, after his release in this case, is again found involved in similar nature of cases then the concerned court would be at liberty to take steps for cancellation of his bail bonds.

Further, the petitioner shall remain present on each and every date during the course of trial. If the petitioner fails to remain present on two consecutive dates without any reasonable explanation then the court concerned would be at liberty to take steps for cancellation of bail bonds of the petitioner.

(Dr. Ravi Ranjan, J)

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