

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13686 of 2017

Arising Out of PS.Case No. -6 Year- 1997 Thana -KUCHILA District- BHABHUA (KAIMUR)

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Surendra Ram, Son of Late Chuka Ram, Resident of Village- Bhagwanpur,
P.S. Rajpur, District Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 28-04-2017 Heard learned counsel for the petitioner and the learned A.P.P.
for the State.

The petitioner seeks bail in connection with Kuchhila P.S.
Case No.6 of 1997 (S. Tr. No.110 of 2015/135 of 2016) registered
under Sections 364(A)/34 of the Indian Penal Code.

This is a case of misuse of privilege of bail by the petitioner
for about 15 years.

Learned counsel appearing on behalf of the petitioner submits
that the petitioner was on bail but due to his non appearance in the court
below on the date fixed, his bail bond was cancelled and the petitioner
was declared absconder. Thereafter, the petitioner surrendered in the
court below on 23.03.2015 and his case was committed to the court of
sessions where the charge was framed on 16.07.2016 against the



petitioner and since then, the case is running for the prosecution evidence but upto now, not a single prosecution witness has been examined. Further submission is that the petitioner undertakes that he will attend the trial court on each and every date fixed in the case during the course of the trial.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-V, Kaimur at Bhabua, in connection with Kuchhila P.S. Case No.6 of 1997 (S.Tr. No.110 of 2015/135 of 2016). Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner. Further, the petitioner shall attend the trial court on each and every date fixed in the case during the course of the trial. If the petitioner fails to attend the trial court on two consecutive dates on the date fixed during the course of the trial, the trial court would be at liberty to cancel the bail bond of the petitioner.

(Rajendra Kumar Mishra, J)

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