

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8135 of 2017

Arising Out of PS.Case No. -31 Year- 2004 Thana -BHOJPUR GRP CASE District- BHOJPUR

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Suresh Singh @ Suman Yadav Son of late Siyaram Singh Resident of
Village- Bagen,P.S. Bagen Gola, District Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-03-2017

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The Petitioner seeks bail in Ara Rail P.S. Case
No. 31 of 2004 instituted for the offence under Section(s) 395 of
the Indian Penal Code.

It has been submitted on behalf of the
petitioner that this is a case for misuse of privilege of bail. The
petitioner was earlier granted bail by this Hon'ble Court vide Cr.
Misc. No. 20280 of 2006 on 13.07.2006 and thereafter he was
released on 16.10.2006. The bail bonds of the petitioner was
cancelled on 27.06.2008 and thereafter he was declared absconder
on 11.02.2016. The petitioner is languishing in custody since
15.11.2016.



In such circumstances, keeping in view the period spent by the petitioner in the custody, this Court feels that petitioner has sufficiently been punished for his latches. Hence, in the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the Petitioner, above named, be released on bail on furnishing bail bond of 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional District Judge, Ara in connection with Sessions Trial No. 141 of 2006, arising out of Ara Rail P.S. Case No. 31 of 2004, subject to the conditions that both the bailors shall be the close relative of the petitioner.

The petitioner will remain present in the Court below on each and every date till final disposal of the trial and he will not cause tampering of the witnesses or delay in trial. The absence of the petitioner in lower court on two subsequent dates will give liberty to the lower court to cancel the bail bonds of the petitioner.

(Sanjay Priya, J)

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