

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2781 of 2017

Arising Out of PS.Case No. -39 Year- 1999 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. Shiv Shankar Prasad, Son of Sri Bhagirathi Prasad,
2. Ajay Prasad @ Bachcha Prasad, Son of Sri Bhagirathi Prasad, Both
residents of Village- Juda Pakadi, P.S.- Ramnagar, District- West
Champaran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Umesh Chandra Verma

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-10-2017 Heard the parties.

This is a case of misuse of privilege of bail for eight
years.

Submission of the learned counsel for the appellants
is that a they were on bail and there was no progress in the trial, as
such they went out in order to earn livelihood and in the meantime
their bail bond was cancelled, however, now they are ready to
abide by any condition imposed upon him.

Heard learned Special P.P.

Having heard both sides and from perusal of the
impugned order, it appears that there is misuse of privilege of bail



for eight years in this case and they are in custody for two months, in such view of the matter, this appeal is disposed of with direction to the learned trial court to expedite the trial and try to conclude it as soon as possible. Since the case is of the year, 2001 and if the trial is not concluded within three months from the date of receipt of this order, the learned court below shall release the appellants on bail to his own satisfaction with condition that they will co-operate in the disposal of the trial and they will also appear on each and every date and failure to appear on two consecutive dates, their bail bond shall be cancelled.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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