

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26970 of 2018**

Arising Out of PS. Case No.-24 Year-2003 Thana- BAKHTIYARPUR RAIL P.S. District-  
Patna

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Ashok Kumar, Son of Late Yogendra Parasad, Resident of Bakhtiyarpur  
Station, P.S. Bakhtiyarpur, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Vasant Vikas, Adv.  
For the Opposite Party/s : Mr. A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2      04-05-2018                      Heard Sri Vasant Vikas, learned counsel for the  
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, who is in custody due to default ,  
has prayed for grant of bail in Bakhtiyarpur G.R.P. P.S. Case  
No.24 of 2003 registered for the offence under Section 379 of  
the Indian Penal Code .

Learned counsel for the petitioner submits that in the  
present case, the petitioner was extended the privilege of bail  
by the learned Sessions Judge on 03.06.2003 and, thereafter, he  
was attending the proceeding, however after some time he lost  
the track of the case and, as such, on 06.07.2005, his bail bond  
was cancelled. The petitioner was subsequently arrested on  
03.12.2017 and since then he is continuing in jail and even



while he is in custody, none of the prosecution witnesses has been examined.

Considering the nature of accusation as well as the fact that it was a case of cancellation of bail bond due to default and the petitioner is in custody since 03.12.2017, let the petitioner, namely, Ashok Kumar be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Railway, Patna in connection with Bakhtiyarpur G.R.P. P.S. Case No.24 of 2003

**(Rakesh Kumar, J)**

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