

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51015 of 2018

Arising Out of PS. Case No.-301 Year-2002 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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Kari Sahni, S/o Rudal Sahni, R/o Goriyari Tola, Bakhri, P.S. Bakhri, Distt-
Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh
For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 20-08-2018

It is a case of misuse of privilege of bail.

It is submitted by the learned counsel for the petitioner that earlier, the petitioner was on bail, but as the petitioner did not turn up before the court below on 10.03.2006 fixed for charge, his bail bond was cancelled and subsequently, he was declared absconder. Later on, he was apprehended by the police on 28.06.2018 and has been languishing in custody since then. He happens to be poor rustic villager and he had no knowledge of process and procedure of the case and after enlarge on bail, he misconstrued that he has been acquitted in the case and consequently, he did not appear in the court below. He has not been committed any misuse of bail deliberately and intentionally. The petitioner has been sufficiently punished for



his fault and he undertakes to be present in the court on each and every date fixed in the case. Charge-sheet in the case has already been submitted.

Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd, -cum-Special Judge, Excise, Begusarai, in connection with Complaint Case no. 301C2 of 2002 with condition that the petitioner shall remain present before the court on each and every date fixed and in case of failure on two consecutive dates without assigning any sufficient and genuine ground to the satisfaction of the learned Trial Court, his bail bond shall stand cancelled.

(Prakash Chandra Jaiswal, J)

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