

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68125 of 2018

Arising Out of PS. Case No.-353 Year-2012 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Karuna Nidhi son of Rajendra Prasad @ Vinobajee Resident of Village-
Keshopur, P.S. Telhara, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rajiv Ranjan son of Sri Shivpujan Singh, Resident of Village- Salempur, P.S.
Nokha, District- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Pramod Kumar Sinha
For the Opposite Party/s :	Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-11-2018 Heard learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks bail in connection with
Complaint Case No. 353 of 2012 (Tr. No. 15 of 2018) instituted
for the offence under Section(s) 406, 420 and 323 of the Indian
Penal Code.

Learned counsel for the petitioner has submitted that
this is a case of misuse of privilege of bail.

From the impugned order, it appears that petitioner
was on bail . The case was fixed for evidence before charge on
19.12.2017. The petitioner did not appear and his bail bond was



cancelled. He was declared absconder by order dated 12.4.2018. Thereafter, petitioner voluntarily surrendered on 8.8.2018 and since then he is languishing in jail custody. This is a case registered for the offence punishable under Sections 406, 420 and 323 of the I.P.C.

This Court is of the view that petitioner has been sufficiently punished for the latches on his part

Considering the aforesaid, let the petitioner, above named, 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 the learned Additional Chief Judicial Magistrate 1st, Rohtas at Sasaram in connection with Complaint Case No. 353 of 2012 (Tr. No. 15 of 2018), subject to the following conditions:-

(i) Both the bailers shall be the close relative of the petitioner.

(ii) The petitioner shall be present on each and every date fixed by the Court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of the petitioner.

(iii) If petitioner tamper with the evidence in the case, prosecution will be at liberty to move for cancellation of bail



bond of the petitioner.

(Sanjay Priya, J)

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