

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55316 of 2018

Arising Out of PS.Case No. -97 Year- 1994 Thana -RAJAPAKAR District- VAISHALI(HAJIPUR)

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1. Hira Sahani, Son of Late Bal Chand Sahani,
2. Moti Sahani, Son of Late Balchand Sahani,
Both are resident of Jaffarpatti, Police Station- Raja Pakar, District-
Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Anita Kumari Singh, Advocate.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 09-10-2018

Heard learned counsel for the petitioners and the State.

The petitioners seek bail in Sessions Trial No. 267 of 1996 arising out of Rajapakar P.S. Case No. 97 of 1994 instituted for the offence under Sections 143, 341, 323, 353, 307, 379 and 332 of the Indian Penal Code.

This is a case of misuse of privilege of bail. The petitioner has voluntarily surrendered on 16.7.2018.

From the impugned order it appears that bail of the petitioner was rejected with observation that after two months from arrest the petitioners can renew their prayer for bail.

Counsel for the petitioners submits that petitioners have surrendered before the court below on 16.07.2018.

It is mentioned in the impugned order that evidence has



already been closed and the case is pending for recording statement under Section 313 Cr. P.C. The First Information Report has been lodged for the offence under Sections 341, 323, 307, 353, 332 and 379 of the Indian Penal Code.

This Court finds that petitioner has been sufficiently punished for the laches committed by him.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let the petitioners above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Vaishali at Hajipur, in connection with Sessions Trial No. 267 of 1996 arising out of Rajapakar P.S. Case No. 97 of 1994, subject to the condition that both the bailors will be the close relatives of the petitioners.

The petitioners will cooperate in conclusion of the trial. They will remain present on each and every date of trial till disposal of the case. They will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial. In the event of default of two consecutive dates without valid reason, their bail bonds will liable to be cancelled.

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(Sanjay Priya, J)

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