

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62156 of 2017

Arising Out of PS. Case No.-460 Year-2012 Thana- KHAGARIA District- Khagaria

Md. Azam son of Md. Kalamuddin @ Md. Kalam Resident of Village - Rani Sakarpur, Police Station - Khagaria (Gangaur), District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anamul Haque

For the Opposite Party/s : Mr. SRI CHAUBEY JAWAHAR

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-03-2018 This matter has been taken up out of turn on the joint prayer of the parties.

Though this a fresh application for grant of regular bail but it has been listed since earlier the petitioner was granted bail by this court vide order dated 8.2.2013 passed in Cr. Misc. No. 4305 of 2013 in a case registered for the offences punishable under Sections 341,324,307,379 and 504/34 of the IPC, as contained in Annexure 1, on the submission that the injury has been found to be simple and there is counter version of the occurrence.

Heard learned counsel for the parties.

The accusation against the petitioner in the FIR is of making assault and snatching wrist watch.

From the impugned order, it appears that the petitioner did not appear on 2.6.2014 before the learned court below when the



case was fixed for framing of charge. The petitioner's representation petition was rejected and consequently, the bail bond was also cancelled. Thereafter, the petitioner was declared absconder on 6.1.2017 and was subsequently arrested by the police. It further appears that charge has been framed on 1.11.2017.

Learned counsel for the petitioner submits that the petitioner was granted bail on merits and though the petitioner is accused in two other cases but in those cases, he is on bail. The petitioner will appear before the learned court below regularly.

Learned APP, however, submits that due to default on the part of the petitioner, the charges could not be framed. It is further submitted that the matter has not progressed any further.

Considering the fact that earlier the petitioner was granted bail on merits, 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 Sessions Judge III, Khagaria in connection with S.T. No. 74 of 2013 arising out of Khagaria (Gangaur) P.S. Case No. 460 of 2012.

The learned court below will be at liberty to cancel the bail bonds of the petitioner in case he defaults on two consecutive



occasions.

(Dinesh Kumar Singh, J)

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