

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16084 of 2006

Arising out of PS. Case No.-140 Year-2005 Thana- SANDESH District- Bhojpur

1. Uday Shankar, S/o-Late Bhart Prasad, M/s Dhan Laxmi Automobiles, Ara
Patna By Pass Road, Patna
2. Birendra Kumar, son of Saryug Prasad, M/s Kumar Agriculture &
Employment Sakisadan, Dharhara, Ara
3. Bijendra Kumar, S/o- Awadhesh Prasad, M/s Shiv Shakti Automobiles,
Awadhpuri Market, Moti Tola, Ara

... .. Petitioner/s

Versus

1. The State of Bihar
2. Senior Manager, Union Bank of India, Sandesh Branch, District- Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Ranjan, Advocate
For O.P. No. 2	:	Mr. Umapati Jha, Advocate
For the State	:	Mr. B.N. Pandey, APP.

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

13 07-09-2018

1. Present application has been preferred by the applicants herein, who are co-accused in connection with Sandesh P.S.Case No. 140 of 2005, for anticipatory bail.

1.1. It is required to be noted that by order dated 17.05.2006 the applicants were ordered to be released on provisional bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Ara in connection with Sandesh P.S. Case No. 140 of 2005. Till then, the applicants are on bail. It appears that subsequently, the present application came to be dismissed for non-prosecution.



However, the same came to be restored by earlier Bench vide order dated 29.05.2017 passed in Cr. Misc. No. 23115 of 2017 and that is how the present petition is placed on board. It appears that in the meantime, the Chief Judicial Magistrate cancelled the bail of the applicants on the ground that the applicants were not even present.

1.2. It is submitted and reported that pursuant to the earlier order passed by this Court dated 18.08.2018 the applicants have remained present before the learned Chief Judicial Magistrate on 23.08.2018 and they have given the undertaking that on every date of trial they shall remain present before the learned trial court.

1.3. Learned counsel appearing on behalf of the applicants has also stated at the Bar that the applicants shall remain present before the learned trial court on each and every date of hearing and they shall cooperate the learned trial court in early disposal of the criminal trial.

1.4. Considering the above, the applicants, named above, are ordered to be continued on bail pursuant to the earlier order passed by this Court on 17.05.2006 on the same terms and conditions and on the same bail bonds. However, it is observed that in case any of the applicant-accused fails to appear before



the learned Magistrate/Chief Judicial Magistrate/trial court on any of the date before the learned trial court, their bail shall stand cancelled automatically.

2. With this, the present application stands disposed of.

(Mukesh R. Shah, CJ)

P.K.P./-R.S.Sen

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