

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32282 of 2018

Arising Out of PS.Case No. -114 Year- 2012 Thana -KHAJAJULI District- MADHUBANI

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1. Mukesh Kumar Thakur @ Mukesh Thakur, Son of Sachhidanand Thakur
@ Sachidanand Thakur, Resident of Village- Sarabe, P.S.- Khajauli,
District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Sri Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-05-2018 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Khajauli PS case no. 114 of 2012 instituted for the offences
punishable under Sections 376, 511 of Indian Penal Code.

The petitioner had earlier been granted bail by the
learned trial court, however the same was cancelled and warrant of
arrest was issued against him on 29.03.2017 on account of his
non-appearance before the trial court on the date fixed. Thus, in
nutshell, the bail of the petitioner was cancelled on account of
misuse of the privilege of bail.

The learned counsel for the petitioner submits that
the petitioner could not appear before the learned trial court on



account of certain misunderstandings and lack of communication with his advocate. It is further submitted that the petitioner undertakes to appear on each and every date fixed before the learned trial court.

In such view of the matter, it is directed that the petitioner should deposit a sum of Rs. 5,000/- before the Patna High Court Legal Aid Committee within two weeks from today and thereafter, produce receipt of the deposit of the said amount before the learned trial court whereafter the learned trial court shall release the petitioner on bail subject to such conditions as may be imposed by the learned trial court.

It is further directed that the petitioner shall appear on each and every date fixed before the learned Trial Court and in case of any default, the present privilege of bail shall stand cancelled and the petitioner shall not be entitled to the privilege of bail till the conclusion of the trial.

The petition is disposed of in the aforesaid terms.

(Mohit Kumar Shah, J)

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