

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28816 of 2018

Arising Out of P.S.Case No. -312 Year- 1995 Thana -JAHANABAD District- JEHANABAD

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Birjoo Yadav S/o Ramdeep Yadav, R/o Vill.- Jamanbigha, P.S.- Parsbigha,
District- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

4 28-06-2018 Heard learned counsel for the petitioner as well as the
learned APP for the State.

This is a case of misuse of bail in a case registered for
an offence under Sections 448, 341, 323, 504 and 379/34 of the
IPC.

The petitioner's bail bond was cancelled on 26.02.2018
and he was declared absconder on 19.03.2018. It has been
submitted that the petitioner's representation was cancelled on
25.02.2018 because he was not appearing in the Court in person.
However, a representation was filed by his lawyer which was
rejected. The petitioner had no knowledge regarding cancellation
of his representation and suddenly he was arrested on 03.04.2018
and since then he is in custody.



The learned APP opposed the submissions.

Considering the facts and circumstances of the case, the prayer for bail is allowed. Let the above named petitioner 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 CJM, Jehanabad in connection with Jehanabad P.S.Case No.312 of 1995.

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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