

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74945 of 2018

Arising Out of PS. Case No.-48 Year-2004 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

=====

JITAN SAHNI @ JITENDRA SAH @ JITENDRA PRASAD SWARNKAR
Son of Pratap Sah Resident of Village-Dhokhardhara, P.S. Banmankhi, Distt.-
Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate.

For the Opposite Party/s : Md. Anzarul Haque Sahara, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in Visvidyalaya (LNMU)

P.S. Case No. 48 of 2004 instituted for the offence under

Sections 379 and 411/34 of Indian Penal Code.

Counsel for the petitioner submits that this is a case

of misuse of privilege of bail.

The petitioner was earlier granted bail on 15.9.2004

by this Hon'ble Court passed in Cr. Misc. 27217 of 2004, but

bail bond of the petitioner was cancelled on 15.5.2006 due to

non-appearance in the court below. He was declared absconder

and was arrested on 14.7.2018 and since then he is in custody.

The instant case has been registered for the offence



under Sections 379 and 411/34 of the Indian Penal code.

Therefore, this Court is of the view that petitioner has sufficiently been punished for the laches committed on his part.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. 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 learned Chief Judicial Magistrate-VIIth, Darbhanga, in connection with Visvidyalaya (LNMU) P.S. Case No. 48 of 2004, subject to the condition that both the bailors will be close relatives of the petitioner with further conditions which are as follows:

(i) The petitioner will cooperate in conclusion of the trial (ii) He will remain present on each and every date of trial till disposal of the case (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial and (iv) In the event of default of two consecutive dates without any valid reason, his bail bonds will liable to be cancelled.

S.Ali/-

U		T	
---	--	---	--

(Sanjay Priya, J)

