

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20395 of 2018

Arising Out of PS.Case No. -95 Year- 2009 Thana -RUPAULI District- PURNIA

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1. Sanjay Rishi S/o Late Umesh Rishi @ Umesh Rishi, R/o Village-
Dhobgiddha, P.S.- Rupauli, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishoer Jha

For the Opposite Party/s : Mr. Yogendra Kumar

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 04-05-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 08.01.2018 in
connection with Rupauli P.S. Case No. 95/2009 registered for the
offences punishable under Sections 148/323//504/380/436 of the Indian
Penal Code.

The present case is one of misuse of privilege of bail.

Learned counsel for the petitioner submits that due to
certain unforeseen circumstances, *pairvi* of the case could not be done
and, therefore, the bail bonds of the petitioner have been cancelled. He,
however, undertakes that he shall remain present in Court regularly and
co-operate in the trial.

Considering the aforementioned submissions and the
statement of the petitioner at paragraph No. 13 on affidavit, let the
petitioner above named, be released on bail on furnishing bail bonds of



Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Presiding Officer, Fast Track Court-2, Purnea, in connection with Rupauli P.S. Case No. 95/2009, subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or their wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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