

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24580 of 2019

Arising Out of PS. Case No.-229 Year-2016 Thana- CHANPATIA District- West Champaran

PRADEEP YADAV @ PRADEEP KUMAR YADAV @ PRADEEP S/o Lalan
Yadav R/o village- Belbanwa, P.S.- Jogapatti, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-06-2019 Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in **Sessions Trial No. 332**
of 2017 arising out of Chanpatiya (Sirisiya O.P.) P.S. Case
No. 229 of 2016, instituted for the offence under Section(s)
395 of the Indian Penal Code, 1860.

It is a case of misuse of privilege of bail. Earlier petitioner was granted bail by coordinate Bench of this Court vide order dated 28.3.2018 passed in Cr. Misc. 16919 of 2018. The case has been fixed for framing of charge on 3.11.2018, but petitioner was not present in Court. Thereafter, non-bailable warrant of arrest was issued for cancellation of bail bonds. Ultimately, the petitioner has voluntarily surrendered on 13.02.2019 and since then he is in custody.



In such circumstances, the petitioner has sufficiently been punished for the laches committed on his part.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail 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 **5th Additional Sessions Judge, West Champaran, Bettiah**, in connection with **Sessions Trial No. 332 of 2017 arising out of Chanpatiya (Sirisiya O.P.) P.S. Case No. 229 of 2016**, subject to the condition that both the bailors will be the close relatives of the petitioner with further conditions which are as follows:

(i) Petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court (ii) In absence on two consecutive dates without any valid reason, the bail bonds of the petitioner will liable to be cancelled and (iii) if petitioner tampers with the evidence or the witnesses of the case, in that event, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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