

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28636 of 2019

Arising Out of PS. Case No.-86 Year-2010 Thana- PHULPARAS District- Madhubani

RAM DAYAL YADAV Son of Late Faudar Yadav Resident of Village -
Jhanjhapatti Doman, P.S.- Khutauna, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha
For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 02-05-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Phulparas P. S. Case No.
86 of 2010 instituted for the offence under Section(s) 395 and
397 of the Indian Penal Code.

The petitioner is in custody since 4.2.2019.

This is a case of misuse of privilege of bail. This is a
case registered for the offence under Sections 395 and 397 of
the Indian Penal Code.

From the impugned order, it appears that bail bond
of the petitioner was cancelled on 6.11.2014. Petitioner has
voluntarily surrendered on 4.2.2019.

Learned counsel for petitioner submits that charges
have also been framed in this case against the accused persons
by order dated 23.3.2019 as mentioned in para 11 of the bail



petition.

The petitioner has sufficiently been punished for the laches on his part.

Considering the aforesaid, 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 the Addl. Sessions Judge Jhanjharpur, Dist. Madhubani in connection with Phulparas P. S. Case No. 86 of 2010, S. T. no. 636 of 2012 subject to the following conditions:-

(i) Both the bailors shall be the close relative of the petitioner.

(ii) The petitioner shall be present on each and every date fixed by the Court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of the petitioner.

(iii) If petitioner tamper with the evidence in the case, prosecution will be at liberty to move for cancellation of bail bond of the petitioner.

(Sanjay Priya, J)

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