

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28473 of 2019

Arising Out of PS. Case No.-31 Year-2002 Thana- PALIGANJ District- Patna

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RAMJI MOCHI Son of Late Rikhi Mochi Resident of Village- Sidhipur, P.S.-
Paliganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha
For the Opposite Party/s : Mr. Nawal Kishore Pd. APP

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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 Paliganj P. S. Case No.
31 of 2002 instituted for the offence under Section(s) 323 and
302/34 of the Indian Penal Code.

The petitioner is in custody since 5.1.2019.

This is a case of misuse of privilege of bail. This is a
case registered for the offence under Sections 323 and 302/34
of the Indian Penal Code.

Learned counsel for petitioner submits that petitioner
was earlier granted bail by this Court by order 4.3.2009 passed
in Cr. Misc. no. 54317 of 2007. The bail bond of the petitioner



was cancelled on 21.1.2017 and the petitioner was declared absconder on 11.1.2017.

Learned counsel for petitioner submits that in the instant case four material witnesses have already been examined besides the informant and all of them have been declared hostile.

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 VII, Danapur, Patna in connection with Paliganj P. S. Case No. 31 of 2002, Sessions trial no. 1271 of 2005 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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