

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37857 of 2019

Arising Out of PS. Case No.-11 Year-2005 Thana- BANKA District- Banka

RAJENDRA DAS Son of Rudo Das Resident of Village - Vijaynagar, P.S.-
Banka, Distt - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad
For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-06-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Banka P. S. Case No. 11
of 2005, G.R. No. 44/05 instituted for the offence under
Section(s) 461, 379 of the Indian Penal Code.

The petitioner is in custody since 18.2.2019.

This is a case of misuse of privilege of bail. This is a
case registered for the offence under Sections 461, and 379 of
the Indian Penal Code. From the impugned order it appears that
cognizance has been taken vide order dated 2.4.2005 for the
offence U/s 461 and 379 of the IPC. The petitioner was granted
bail by order dated 1.4.2005. Thereafter, the petitioner did not
appear in the Court and, finally, he was declared absconder by
order dated 10.7.2015 and permanent warrant of arrest has been



issued against petitioner. The petitioner was arrested by the police on 18.2.2019 and since then he was in custody.

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 J.M. 1st Class, Banka, in connection with Banka P. S. Case No. 11 of 2005, G.R. No. 44/05 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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