

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69632 of 2018

Arising Out of PS. Case No.-128 Year-1995 Thana- SIKARPUR District- West Champaran

Uday Raut @ Sharabi Son of Sri Arjun Raut, Resident of Mohalla-Krishi
Market, Narkatiaganj, P.S.-Shikarpur, 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 : Smt. Anita Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

5 13-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in Trial No.3886 of 2018, arising
out of Shikarpur P.S. Case No. 128 of 1995 registered under
Sections 461 and 379/411 of the Indian Penal Code.

It is a case of misuse of privilege of bail.

It is submitted by learned counsel for the petitioner that
earlier the petitioner was on bail but his bail bond was cancelled
on 01.08.2016 and he was declared absconder on 23.04.2018 as
he happens to be labourer and had gone out of State in
connection with his livelihood entrusting the pairvi of the case
to his counsel, who did not take proper step in the case
accordingly his bail bond was cancelled. On regression to his
native home he learnt about fate of the case then he suo motu
surrendered on 28.06.2018 and since then he is in custody.



There is no intentional and deliberate laches on the part of the petitioner. The petitioner has been sufficiently punished for his fault.

Per contra, learned APP opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-V, West Champaran at Bettiah in connection with Trial No.3886 of 2018, arising out of Shikarpur P.S. Case No.128 of 1995 with condition that the petitioner shall remain present before the learned lower Court on each and every date fixed in the case and in case of failure on two consecutive dates without assigning any sufficient and genuine ground to the satisfaction of the learned Trial Court, his bail bond shall stand cancelled.

(Prakash Chandra Jaiswal, J.)

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