

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58996 of 2019

Arising Out of PS. Case No.-71 Year-2000 Thana- MARAUNA District- Supaul

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1. SHIV KUMAR SAH @ SHIVNARAYAN SAH S/o Rajdev Sah R/o village- Sakhua, P.S.- Marauna, District- Supaul
 2. Hari Prasad Sah @ Hari Sah S/o Late Ramdatt Sah R/o village- Sakhua, P.S.- Marauna, District- Supaul
 3. Pramod Sah S/o Late Ramdatt Sah R/o village- Sakhua, P.S.- Marauna, District- Supaul
 4. Rajdev Sah S/o Late Ramdatt Sah R/o village- Sakhua, P.S.- Marauna, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Nath Yadav
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 01-10-2019 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Marauna P.S. Case No. 71 of 2000, registered for the offence punishable under Sections 147, 341, 323 and 504 of the Indian Penal Code.

The present petition has been filed assailing the order dated 3.8.2019 passed by the learned court of District and Session Judge, Supaul in G.R. No. 489 of 2019 whereby and



whereunder the petition of the petitioners for grant of bail has been rejected.

As per the records of the case, it appears that the petitioners are accused in Marauna P.S. Case No. 71 of 2000 under Sections 147, 341, 323 and 504 of the Indian Penal Code and they were granted bail earlier by the learned court below, however, subsequently, the petitioners stopped appearing before the court below with effect from 23.12.2013, hence they were declared absconder on 8.3.2019.

The learned counsel for the petitioners submits that the misuse of bail at the behest of the petitioners is not intentional and they could not appear before the court below on account of not having proper knowledge about the dates so fixed by the learned court below.

Having regard to the facts and circumstances of the case, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Supaul in connection with Marauna P.S. Case No. 71



of 2000.

It is needless to state that in case, the petitioners do not appear before the learned court below on the date so fixed by the trial court, the present privilege of bail shall stand, automatically, cancelled in case of two consecutive defaults and the petitioners would be taken into custody forthwith.

(Mohit Kumar Shah, J)

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