

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79020 of 2018

Arising Out of PS. Case No.-48 Year-2004 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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Pramod Gupta@ Bajrangi Gupta S/o Raghunath Gupta R/vill-Rajhat,
Dhokhardhara,P.S-Banmankhi, Distt.-Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Anand

For the Opposite Party/s : Mr.Sri S.M. Rahman

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 23-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in
connection with Visvidyalaya (LNMU) P.S. Case No. 48 of
2004 registered for the offence punishable under Sections 379,
411/34 of the Indian Penal Code.

This is a case of misuse of privilege of bail. Earlier
the petitioner was granted bail on 09.07.2004 by the learned
Sessions Judge, Darbhanga, but due to non appearance and
absence of the proper Pairvi, his bail bond was cancelled on
15.05.2006 and he was declared absconder on 20.02.2018. He
was arrested by the police on 29.08.2018.

It has been submitted on behalf of the petitioner that



he was undergoing treatment at AIIMS, Patna and due to lack of proper pairvi, his bail bond was cancelled. It has been further submitted that petitioner undertakes that he will never misuse the privilege of bail in future and he is in custody since 29.08.2018 after remand.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, Vth, Darbhanga in connection with Visvidyalaya (LNMU) P.S. Case No. 48 of 2004 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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