

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1505 of 2019

Arising Out of PS. Case No.-27 Year-1993 Thana- MAINATAND District- West Champaran

Beyas Bin @ Byas Bin, son of Late Nathuni Bin, Resident of Village –
Mathura, P.S.- Shikarpur, district- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 05-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Mainatand P.S. Case No.0027 of 1993 (Trial No.2560 of 2018)** instituted for the offence under Section(s) 394, 411 Indian Penal Code and Section 25, 26, 27 of the Arms Act.

Counsel for the petitioner submits that it is a case of misuse of privilege of bail.

As per prosecution case, three persons including the petitioner snatched Rs.65/- from the informant on the point of Katta and knife.

Petitioner was earlier granted bail on 26.11.1994. From the impugned order, it appears that bail bond of this petitioner was cancelled on 03.01.2004. After exhausting process under Section 82-83 Cr.P.C., he was declared absconder



on 06.06.2017.

Counsel for the petitioner submits that petitioner has voluntarily surrendered on 13.09.2018 and he is in custody since then. It is submitted that he will be present on each and every date of trial. It is further submitted that on 20.09.1999, a compromise petition has been filed in the Court below duly signed by both parties.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Sub-Divisional Judicial Magistrate, Bettiah, West Champaran**, in connection with **Mainatand P.S. Case No.0027 of 1993 (Trial No.2560 of 2018)**, subject to the condition that both the bailors shall be close relative of the petitioner.

Further, (i) the petitioner will remain present on each and every date of trial, (ii) His absence on two consecutive date(s) without any reasonable cause will make his bail bond liable to be cancelled, and (iii) the petitioner will not intimidate the witnesses in any way and will not hamper the trial.

(Sanjay Priya, J)

J. Alam/-

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