

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17560 of 2020

Arising Out of PS. Case No.-63 Year-2001 Thana- KARAKAT District- Rohtas

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Lallan Yadav @ Lallan Singh S/o Late Pachkaudi Yadav @ Pachkudi Yadav
R/o village- Harnathdih, P.S.- Tarari, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra, Advocate

For the Opposite Party/s : Mr.Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 01-07-2020 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner who is in custody since 15.10.2019 has filed the instant application for grant of regular bail in connection with S.Tr. no. 162 of 2012 (arising out of Karakat P.S. Case no. 63 of 2001) registered under section 396 of the Indian Penal Code.

In the instant case the petitioner had been granted bail vide order dated 11.10.2006 (Annexure 1) passed in Cr. Misc. no. 28127 of 2006. One of the condition imposed by this Court while granting bail was that the petitioner shall appear in the Court below on each and every date. The case was committed on 11.5.2012. However, as the petitioner did not appear, his bail bond was cancelled on 20.2.2015 and as per the



report in letter dated 15.6.2020 of the A.D.J XVII, Rohtas at Sasaram, charge has not been framed in the case.

It is submitted by learned counsel for the petitioner that he is the sole bread earner in the family and he did not appear as no information was given by the advocate clerk. Soon after coming to know about the cancellation of bail, he surrendered in the Court below on 15.10.2019. It is prayed that having remained in custody for more than 8 months, he be enlarged on bail.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration the fact that the petitioner has remained absconding for such a long period, the Court is not inclined to enlarge the petitioner on bail and as such the application for bail of the petitioner is rejected.

However, in view of the fact that the petitioner has surrendered in the Court and is in custody since 15.10.2019, the petitioner may renew his prayer for bail after charge is framed.

(Partha Sarthy, J)

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