

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12923 of 2020

Arising Out of PS. Case No.-762 Year-2006 Thana- COMPLAINT CASE District- Banka

1. Panchu Mohali @ Panchu Maholi S/o Late Dukhan Mohali R/o village-Dhanwaran, P.S.- Katoria, District- Banka
2. Sokhi Mohali @ Sukho Maholi S/o Late Dukhan Mohali R/o village-Dhanwaran, P.S.- Katoria, District- Banka

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shyama Devi Wife of Arjun Ray Resident of Dhanwaran, P.S. - Katoria, District - Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

2 10-06-2020 Heard learned counsel appearing for the petitioners as well as learned Additional Public Prosecutor for the State through video conferencing.

Petitioners seek bail in connection with Complaint Case No. 762/2006 registered for the offences punishable under Sections 147, 323, 427, 380 of the Indian Penal Code.

It is a case of misuse of privilege of bail and perusal of impugned order goes to show that the petitioners were directed to appear physically before the trial court but they failed to do so as a result whereof, the learned trial court cancelled the bail bonds of the petitioners on 13.7.2012 and issued processes against them. However, petitioners did not



surrender and they were arrested by the police and, subsequently, they were remanded by the trial court on 8.11.2019. Further, the perusal of impugned order goes to show that the learned Sessions Judge, Banka, directed the trial court to dispose of the case within a period of three months on priority basis. The period of three months has been passed, therefore, considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka/concerned court in connection with Complain Case 762/2006, subject to condition that after lock down comes to end and the learned court below starts functioning physically, the petitioners shall present before the learned court below on each and every date till the disposal of Complaint Case No. 762/2006.

(Hemant Kumar Srivastava, J)

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