

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83533 of 2019

Arising Out of PS. Case No.-14 Year-2010 Thana- PAUTHU District- Aurangabad

Jitendra Singh @ Tiger Son of Late Suryadeo Singh Resident of Village Chapri, P.S.- Obra, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 19-06-2020 The matter has been taken up through virtual Court proceeding.

Heard learned counsel for the petitioner and learned APP for the State.

This is an application for grant of bail in a case of misuse.

It appears that the petitioner was accused in a case registered for the offences punishable under Sections 147, 148, 149, 427, 435, 341, 323 of the Indian Penal Code, Section 17 of C.L.A. Act and Section 10 of Unlawful Activities Amendment Act, 2004. Subsequently, Sections 384 and 386 of the IPC were also added. Earlier, the petitioner was granted bail by learned Court below but the petitioner failed to appear on the date of framing of charge on 26.11.2013 and hence, his bail bond was cancelled and ultimately, the petitioner was declared absconder.



The petitioner was remanded in the present case on 03.08.2019 and since then he is in judicial custody.

It is submitted by learned counsel for the petitioner that the petitioner undertakes to appear regularly on each and every date during trial before the trial Court. Though the petitioner is accused in two other cases but he is on bail in both the cases.

Learned APP for the State submits that the petitioner absconded, as a result, the trial has not been concluded.

Considering the fact that the petitioner is languishing in custody since 03.08.2019 and he undertakes to appear regularly before the Court below, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Fact Track Court VI, Aurangabad in connection with Sessions Trial No. 304(A)/2012/580/2017, arising out of Pauthu P.S. Case No. 14 of 2010.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond upon furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be



transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned Fast Track Court VI, Aurangabad in connection with Sessions Trial No. 304(A)/2012/580/2017, arising out of Pauthu P.S. Case No. 14 of 2010.

The learned Court below is at liberty to further extend the period of provisional bail if the court proceeding in physical mode will not resume in next three months.

However, the learned trial Court will be at liberty to cancel the bail bonds of the petitioner, if the petitioner defaults for two consecutive occasions during trial.

(Dinesh Kumar Singh, J)

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