IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 6492 of 2020

Birendra Baniya @ Umesh Sao ... Petitioner

Versus

The State of Jharkhand … Opposite Party

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

Through Video Conferencing

For the Petitioner : Mr. Santosh Kumar Tiwari, Advocate

For the State : Mr. S. K. Srivastava, A.P.P.

Order No. 02 Dated 24th September, 2020

Heard the learned counsel appearing for the respective parties.

The defects, as pointed out by the office, are ignored.

The petitioner is an accused in connection with S.T. No. 23(D)/2015 arising out of Bhandariya P.S. Case No. 48 of 1999 (G.R. No. 800 of 1999).

This is a case of misuse of privilege of bail. The petitioner was granted bail on 11.02.2003 and due to non-appearance, his bail bond was cancelled on 24.09.2007. The petitioner is in custody since 30.01.2020.

It appears that it is a case of misuse of privilege of bail of about 13 years. However, taking into consideration of the fact that the petitioner is in custody for almost 9 months, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI, Garhwa in connection with S.T. No. 23(D)/2015 arising out of Bhandariya P.S. Case No. 48 of 1999 (G.R. No. 800 of 1999), subject to the condition that he shall cooperate during the trial once it starts after the normalization of the working of the court.

(RONGON MUKHOPADHYAY,J.)

MK