

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25856 of 2021

Arising Out of PS. Case No.-25 Year-2010 Thana- AKBARNAGAR District- Bhagalpur

RAJU SINGH @ BHOKRA @ RAJU S/O LATE RAM NIVASH @ BILASH
SINGH @ PALTU R/O VILLAGE NAYAGAON, P.S-PARBATTA,
DISTRICT-KHAGARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Malay Kumar Choudhary, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-11-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Sessions Trial No. 1295 of 2010 arising out of Akbarnagar P.S. Case No. 25 of 2010 for the offence under Sections 366(A) of the Indian Penal Code.

The petitioner is alleged to have abducted the niece of the informant by alluring her on the pretext of marriage.

Learned counsel appearing for the petitioner submits that the petitioner had been granted bail by a co-



ordinate Bench of this Court vide order dated 14.06.2011 but his bail bond has been canceled due to non appearance on his behalf. As a matter of fact, the bail bond of the petitioner has been canceled on 19.06.2017 due to mistake of his pairvikar. The petitioner was unaware about this fact as he was out of station for his livelihood. There was no deliberate intention on the part of the petitioner to misuse the process of the Court. The petitioner, being a poor man, is rotting in judicial custody since 28.09.2020.

Learned A.P.P. has confined his submission by stating that the case relates to misuse of bail.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-X, Bhagalpur in connection with S.T. No. 1295 of 2010 arising out of Akbarnagar P.S. Case No. 25 of 2010 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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