

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34327 of 2021

Arising Out of PS. Case No.-231 Year-2015 Thana- CHHATAPUR District- Supaul

MD RABBAN @ MD RAVAN @ MD RABAN Son of Md. Masruddin
Resident of Village - Hariharpur, P.S.- Chhatapur, Dist.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-12-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307 and other sections of the Indian Penal Code.

It is submitted by learned counsel for the petitioner that in the instant case i.e Chhatapur P.S. Case no.231 of 2015, by order dated 23.6.2017 (Annexure-1) the petitioner was enlarged on anticipatory bail, one of the conditions for grant of bail being that in case of the petitioner's absence on two consecutive dates without proper and reasonable reason, the bail bond of the petitioner will automatically be cancelled.

It is further submitted that the bail bond of the petitioner was cancelled on 4.12.2019 for reasons beyond his control. He is again in custody since 18.3.2021 and undertakes to cooperate in the trial.



It is submitted by learned counsel for the petitioner that a typographical error has occurred in the prayer portion of the petition wherein P. S. Case has wrongly mentioned as ‘Chhatapur P.S. Case no.231 of 2019’ instead of the correct ‘Chhatapur P.S. Case no.231 of 2015.’

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for over 9 months, the Court directs the petitioner to be enlarged on bail in connection with Chatapur. P.S. Case no. 231 of 2015 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge V, Supaul.

It is directed that the petitioner shall remain physically present in Court on each date of the trial. In case of the petitioner’s absence on any date for reasons not to the satisfaction of the learned trial Court, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

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(Partha Sarthy, J)

