

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36842 of 2020

Arising Out of PS. Case No.-76 Year-2012 Thana- JAHANABAD District- Jehanabad

MAHENDRA CHAUDHARY SON OF RAJDEO CHAUDHARY
RESIDENT OF VILLAGE- PURVI UNTA, P.S.- AND DISTRICT-
JEHANABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunwar Digvijay Singh

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-02-2021 The present petition has been filed against the order dated 08.09.2020 passed in Bail Petition No. 444 of 2020, whereby and whereunder the learned court below has been pleased to reject the prayer of the petitioner for grant of bail in view of the long misuse of the privilege of bail.

The allegation is regarding the miscreants having entered a shop and on pistol point having snatched a sum of Rs. 25,000/-.

It appears that a coordinate Bench of this Court vide order dated 26.07.2012 passed in Criminal Misc. No. 27755 of 2012, was pleased to grant the privilege of bail to the petitioner herein subject to him appearing before the learned court below on each and every date so fixed in the case and in the event of two consecutive default, it had been directed that the privilege



of bail extended to the petitioner shall stand cancelled. It appears that the petitioner had defaulted on several dates and had remained absent without furnishing any reason whereafter processes were issued under Sections 82 and 83 of the Cr.P.C. and only then the petitioner had surrendered before the learned court below. Hence, the learned court of Additional Sessions Judge-VI, Jehanabad by the impugned order dated 08.09.2020 had thought it proper not to grant bail to the petitioner on account of the long misuse of the privilege of bail by the petitioner herein.

The learned counsel for the petitioner submits that the petitioner is ready and willing to abide by such conditions as may be imposed by this Court for the purposes of grant of bail.

Having regard to the facts and circumstances of the case and having heard the learned counsel for the parties, I deem it fit and proper to direct for release of the petitioner on bail subject to to him furnishing cash security to the tune of Rs. 50,000/- as also subject to such conditions as may be imposed by the learned court of Judicial Magistrate-1st Class, Jehanabad in connection with Jehanabad P.S. Case No. 76 of 2012, Tr. No. 2060 of 2020.

The impugned order dated 08.09.2020 passed in Bail



Petition No. 444 of 2020, by Additional Sessions Judge-VI,
Jehanabad, is set aside.

The petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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