

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3793 of 2021

Arising Out of PS. Case No.-718 Year-2000 Thana- SASARAM NAGAR District- Rohtas

RAM PRAVESH SAH @ GODAN SAH @ GADAN SAH Son of Ram
Briksh Sah Resident of Village - Belaspur, P.S.- Karaghar, District - Rohtas.
At present Gauri Shankar Staff Hotel, G.T. Road, Kanodia Petrol Pump, P.S.-
Sasaram (T), District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-03-2021 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal court
proceeding. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the
Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Section 47 of the Excise Act.

It is a case of misuse of privilege of bail.

It is submitted by learned counsel for the petitioner that
earlier the petitioner was on bail but his bail bond was cancelled
in the year 2010 and he was declared absconder. When he learnt



about the case, he suo motu surrendered on 07.07.2020 and since then he is in custody. The petitioner had no knowledge of cancellation of his bail bond as he happens to be labourer and had gone outside of the State entrusting the case to his learned counsel who left the pairvi in the case and did not inform him about the fate of the case. Hence, in absence of the petitioner his bail bond was cancelled. On regressing to his home, when he learnt about the case, he suo motu surrendered in the Court. There is no intentional and deliberate laches on the part of the petitioner. The petitioner has been sufficiently punished for his fault.

Per contra, learned APP opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, **after depositing a sum of Rs.4,000.00 (Rupees Four Thousand) in the account of District Legal Services Authority**, and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Sasaram (T) P.S. Case No.718 of 2000, with condition that the petitioner shall remain present before the Court on each and every date fixed in the case and in case of failure on two



consecutive dates without assigning any sufficient and genuine ground to the satisfaction of the learned Trial Court, his bail bond shall stand cancelled.

(Anjani Kumar Sharan, J)

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