

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38884 of 2021

Arising Out of PS. Case No.-12 Year-2006 Thana- BAGHA District- West Champaran

SUJIT RAM S/o Dhuri Ram R/o Village- Dom Parao, Chautarva, P.S.-
Bagaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-01-2022 Heard learned counsel for the parties through video
conferencing.

The petitioner has prayed for grant of bail in a case registered under section 307 and other sections of the Indian Penal Code.

It is submitted by learned counsel for the petitioner that the petitioner was granted bail in the year 2006 which for reasons beyond his control was cancelled by order dated 2.12.2014. On coming to know about his bail having been cancelled, the petitioner started his *pairvi* and was taken into custody on 18.1.2021. It is submitted that charge has been framed in the case on 22.10.2021 and he undertakes to cooperate in the trial.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and on perusal of the materials on record it transpires that this is a case of



misuse of the privilege of bail. The bail bond of the petitioner having been cancelled in December 2014, the petitioner has remained in custody for more than 11 months since 18.1.2021.

In view of the facts of the case, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no. 958A of 2006 (arising out of Bagha P.S. Case no. 12 of 2006) 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 Addl. Sessions Judge 1st, Bagha, West Champaran, on the condition that one of the bailors of the petitioner shall be his close relative.

It is further directed that the petitioner shall remain physically present in court on each date of the trial and shall cooperate in the trial. In case the petitioner is absent on any date for reasons not to the satisfaction of the learned trial court or is not cooperating in the trial, the learned trial court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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