

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48502 of 2021

Arising Out of PS. Case No.-8 Year-2001 Thana- SIRDALA District- Nawada

Panchu Chaudhari, Son Of Late Jiblal Choudhary, R/O Village- Patluka, P.S.-
Govindpur, District- Nawada

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Advocate,

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 23-03-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

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.

The petitioner seeks bail in connection with Sirdalla P.S. Case No. 8 of 2001 registered for the offence under Sections 395, 412 of the Indian Penal Code.

As per prosecution case, while the brother of the informant working in his shop, three persons came there and threatened him and blasted the bomb after looting two to three thousand from his shop and fled away.

Learned counsel for the petitioner submits that vide order dated 22.08.2001 passed in Cr. Misc. No. 20144 of 2001,



the petitioner was granted regular bail in the present case. He further submits that bail bond of the petitioner was cancelled by the court below on 29.06.2006. He further submits that the petitioner has no knowledge about the cancellation of the bail bond so he could not surrender in time. He further submits that the petitioner surrendered on 11.01.2021. He further submits that the present case is only misuse of privilege of bail.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let, 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 A.C.J.M. Ist, Nawada in connection with Sirdalla P.S. Case No. 8 of 2021 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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