

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54524 of 2021

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

VISHAL RAM SON OF LATE PRADEEP RAM R/O VILLAGE- DOM
PRAW CHOUTARAWA, P.S.- BAGAHA, DISTRICT- WEST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 05-04-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 341, 323, 324 504, 380, 354 and 34 of the Indian Penal Code .

It is submitted by learned counsel for the petitioner that in an FIR of the year 2006 registered under sections 307, 308 and other sections of the Indian Penal Code, the petitioner was enlarged on bail vide order dated 9.2.2007. Subsequently his bail was cancelled but was again granted bail by the learned trial court itself on 26.4.2013. Due to lack of proper *pairvi* his bail bond was cancelled on 2.12.2014. He has been in custody once again since 23.2.2021 ie for more than one year. Charge has been framed in the learned trial court on 22.10.2021. The



petitioner undertakes to cooperate in the trial.

Heard learned APP for the State.

Having heard learned counsel for the parties and on perusal of the material on record it transpires that this is a case of misuse of the privilege of bail. The petitioner has remained in custody since 23.2.2021 and charge has been framed in the learned trial court.

In the facts of the case, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no. 958(B) of 2006 (arising out of Bagaha 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 1st Additional Sessions Judge, Bagaha, West Champaran on the following conditions:

(I) One of the bailors of the petitioner shall be his close relative.

(II) The other bailor of the petitioner shall be resident of a place within the jurisdiction of the learned trial court.

(III) The petitioner shall remain physically present in the trial court on each date of the trial.

In case of violation of any of the above conditions including the absence of the petitioner on any single day 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.

(Partha Sarthy, J)

Spd/-

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