

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66355 of 2021

Arising Out of PS. Case No.-278 Year-2004 Thana- JAHANABAD District- Jehanabad

Rajdeo Yadav @ Rajdeo Prasad Yadav, S/o Late Jagat Yadav, R/o village-
Gulamchak, P.S.- Kako, District- Jehanabad

... .. 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. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 29-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Sessions Trial No. 271/2018-179/2018 (arising out of Jehanabad P.S. Case No. 278 of 2004) registered for the alleged offences under Sections 307, 353, 34 of the Indian Penal Code and Sections 25(1-B)A, 26, 27, and 36 of the Arms Act.

This is a case of misuse of privilege of bail. The petitioner's bail bond was cancelled on 8.09.2021.

The learned counsel for the petitioner submits that due to COVID-19 Pandemic, regular proceedings in physical court



have not been taking place and under this impression, the petitioner did not attend the court. In this confusion, his bail bond was cancelled and he was taken into custody. The learned counsel further submits that the petitioner will appear on each and every date in the case and he will be cautious in future. Moreover, he has been in custody for about nine months and has been sufficiently punished.

Learned APP though opposes the contention made on behalf of the petitioner, but submits that the petitioner has been in custody for about nine months.

Having regard to the facts and circumstances and considering the fact that the petitioner has been in custody for nine months and it is a case of misuse of privilege of bail, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IV, Jehanabad in connection with Sessions Trial No. 271/2018-179/2018, arising out of Jehanabad P.S. Case No. 278 of 2004, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and



every date fixed by the court below.

(iii) In case of absence for two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

U		T	
---	--	---	--

