

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57687 of 2022

Arising Out of PS. Case No.-17 Year-2007 Thana- KORMA District- Sheikhpura

Kanhaiya Ram @ Kanhaiya Kumar, Son of Bacchu Ram, Resident of village-
Bhadausi, Police station- Korma, District- Sheikhpura

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 16-11-2022 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Heard Mr. Bipin, learned counsel for the petitioner
and learned APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Korma P.S. Case No. 17 of 2007 registered for
the offence punishable under Section 395 of the Indian Penal
Code.

Earlier, the petitioner had moved before this Court for
grant of bail in Cr. Misc. No.26626 of 2022 and this Court vide
order dated 05.09.2022, having considered the fact that the
petitioner remained absconder for 12 years of long period,
despite he has been declared absconder way back in the year
2008, had not been persuaded to enlarge the petitioner on bail



and the prayer for bail of the petitioner was dismissed with liberty to renew his prayer for bail after framing of charge.

By filing the present application, the petitioner submitted that, in fact, charge was framed on 02.06.2022, but on account of lack of proper information, the same could not be brought to the knowledge of this Court, which resulted into passing of the order dated 05.09.2022, giving liberty to renew his prayer for bail after framing of charge.

Learned counsel for the petitioner seeks apology for the inconvenience caused to this Court.

Considering the fact that charges have already been framed on 02.06.2022 itself and there is no willful and deliberate laches on the part of the petitioner, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Sheikhpura in connection with Korma P.S. Case No. 17 of 2007, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.



(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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