

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70535 of 2021

Arising Out of PS. Case No.-38 Year-2003 Thana- GHOSWARI District- Patna

Vijay Mahto Son Of Yugal Mahto R/O Village- Malpur, P.S.- Ghoswari,
District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-04-2022 Heard both parties.

The petitioner seeks bail in Ghoshwari P.S. Case No. 38 of 2003 corresponding to Sessions Trial No. 448 of 2007, registered for the offence punishable under Section 307 and other allied sections of the Indian Penal Code and section 27 of the Arms Act.

It is a case of misuse of bail. It is submitted that there is no willful laches on the part of petitioner rather due to communication gap in between the petitioner and his Pairvikar, petitioner could not appear on the fixed date and due to that reason, bail bond of the petitioner has been cancelled. Petitioner is in custody since 12.03.2021 and thus, has remained in custody for about one year.

Considering the period of custody, the petitioner



above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge IVth, Barh, Patna in connection with Ghoshwari P.S. Case No. 38 of 2003 corresponding to Sessions Trial No. 448 of 2007 *subject to the condition that 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.*

(Prabhat Kumar Singh, J)

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