

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25500 of 2023

Arising Out of PS. Case No.-3 Year-2004 Thana- BISHUNPUR District- Darbhanga

Kapleshwar Rai @ Diku Rai @ Kapleshwar Ray S/O Ram Sakal Rai @ Late
Ram Sakal Ray R/O Village- Nimacha Kedar, P.S.- Chakmehsi, Distt.-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-07-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 395,
397 and 396 of the Indian Penal Code.

The FIR was registered against the petitioner and
co-accused persons on 19.01.2004.

It is submitted that petitioner was earlier granted
bail in Cr. Misc. No. 38364 of 2022, but his bail bond was
cancelled on 20.03.2013, due to non-appearance. The
petitioner was arrested by police after thirteen years of
cancellation of his bail bond, on the strength of warrant of



arrest issued against him by the learned trial Court and he is languishing in judicial custody since 29.07.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that petitioner has misused the privilege of bail.

Having heard learned counsel for the parties and considering the fact that due to misuse of bail, this court is not inclined to enlarge the petitioner on bail. Hence, his prayer for bail stands rejected.

The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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