

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51571 of 2022

Arising Out of PS. Case No.-340 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

DEOMUNI SINGH Son of Late Hori Singh resident of Village- Kunj, P.S.-
Bhabhua, District - Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 04-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Session Trial No. 240 of 2019 arising out of Bhabua P.S. Case No. 340 of 2019 (G.R. No. 1305/2019) for the offence registered under Sections 147, 148, 149 and 302 of the Indian Penal Code.

The learned counsel for the petitioner has submitted that the present case is a case of misuse of bail inasmuch as this Court had granted bail to the petitioner vide order dated 16.12.2019 passed in Criminal Miscellaneous No. 83483 of 2019, whereafter the petitioner had furnished bail



bond before the learned trial court and had obtained the privilege of bail, however, subsequently he did not appear before the learned court below resulting in cancellation of the bail bonds on 23.02.2021. It is further submitted that on account of COVID-19 pandemic, the petitioner could not appear before the learned court below since he was out of station for earning his livelihood, however, immediately when he had returned back, he had surrendered on 15.09.2021 and since then he is in custody. Lastly, the learned counsel for the petitioner has submitted that the petitioner undertakes not to violate the terms and conditions of bail once he is granted bail by this Court, failing which this Court may take such action as it may deem fit and proper.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the undertaking furnished by the learned counsel for



the petitioner on behalf of the petitioner, I deem it fit and proper to direct for release of the petitioner on bail, however, subject to such conditions as may be deemed fit and proper to be imposed upon the petitioner by the learned court of Additional Sessions Judge-III, Kaimur at Bhabua in connection with Session Trial No. 240 of 2019 arising out of Bhabua P.S. Case No. 340 of 2019 (G.R. No. 1305/2019) for the purposes of grant of bail and securing his presence in future in the ongoing case.

The petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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