

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58168 of 2022

Arising Out of PS. Case No.-50 Year-2001 Thana- JAGDISHPUR District- Bhojpur

Buchali Yadav @ Buchali @ Arjun Yadav @ Suresh Yadav, S/o Baban Yadav
R/o village- Kachayiniya, P.S.- Jagdishpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 22-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner seeks bail in connection with Jagdishpur P.S. Case No. 50 of 2001 registered for the alleged offences under Section 394 of the Indian Penal Code.

This is a case of misuse of privilege of bail. The petitioner was granted bail by the learned trial court in the year 2002 and due to non appearance of the petitioner, his bail bond was cancelled on 27.01.2004 and he was again granted bail on 03.06.2008 and again on 11.01.2017 his bail bond was cancelled and the petitioner was declared absconder on 27.7.2018.

The learned counsel for the petitioner submits that the petitioner is a poor labourer and working in garment factory at



Surat and his counsel did not make proper pairvi in this case and the petitioner has no knowledge about the process issued by the learned trial court in this case and he was declared absconder. Learned counsel further submits that the petitioner undertake to join the trial before the learned trial court and would not further misuse the privilege of bail. The petitioner is in custody since 26.05.2022. The petitioner is having clean antecedent.

Learned APP opposes the prayer for bail submitting that the petitioner appears to be habitual in jumping bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and one more indulgence is shown to the petitioner, 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 Chief Judicial Magistrate, Bhojpur at Ara in connection with Jagdishpur P.S. Case No. 50 of 2001, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and 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 on three 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.

Learned trial court is directed to take up this matter on daily basis and dispose of the same since the matter is of the year 2001.

(Arun Kumar Jha, J)

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