

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68146 of 2023

Arising Out of PS. Case No.-140 Year-2022 Thana- BARAUNI District- Begusarai

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Golu Jha S/o Late Anil Jha Resident of Village - Simaria, P.s. - Barauni (O.P. Chakiya), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma, Adv.

Mrs. Namita Sharma, Adv.

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

- 3 03-11-2023 1. Learned counsel for the petitioner is permitted to make necessary correction in prayer portion of the petition.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner seeks bail in connection with Barauni P.S. Case No. 140 of 2022 registered for the offences punishable under Sections 392, 397 of the Indian Penal Code.
4. Learned counsel for the petitioner submits that it is a case of misuse of privilege of bail. Petitioner has been granted bail by this court vide Cr. Misc. No. 55879 of 2022 on 16.12.2022 but he has not misused the privilege of bail intentionally or deliberately as he went to Gujrat for earning his livelihood and instructed his advocate and advocate's clerk to do proper pairvi in the trial court but they did not make proper



pairvi as a result his bail bond has been cancelled on 04.02.2023. He further submits that as soon as he got knowledge about the cancellation of bail bond, he immediately surrendered before the trial court on 09.08.2023 and since then he is in custody. He further submits that petitioner will not misuse the privilege of bail in future.

5. The learned A.P.P. for the State does not controvert the submission of learned counsel of the petitioner.

6. Considering the facts and circumstances of the case, particularly keeping in view that simply it is a case of misuse of privilege of bail, argument advanced on behalf of the parties and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Barauni P.S. Case No. 140 of 2022, subject to the conditions as enumerated by this court in earlier bail order dated 16.12.2022.

(Alok Kumar Pandey, J)

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