

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75058 of 2023

Arising Out of PS. Case No.-277 Year-2014 Thana- SASARAM MUFFSIL District- Rohtas

Bimlesh Kumar @ Bimlesh Singh Son Of Kamta Singh Ro Village- Balthua,
P.S.- Sasaram (M), Dist.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 363 of 2015 arising out of Sasaram (M) P.S. Case No. 277 of 2014 instituted for the offences under Sections 341, 323, 324, 337, 338, 307 and 379/34 of the Indian Penal Code.

3. This is a case of misuse. The petitioner was on bail since 15.04.2014 and the case was committed to the court of Sessions on 23.05.2015 and in that order, all the accused persons including this petitioner was directed to remain



physically present before the learned Sessions Court on 23.07.2015. On 18.06.2015, learned Sessions Judge, Rohtas Sasaram transferred this case to A.D.J.V, Rohtas at Sasaram, regarding which petitioner had no knowledge. As a result, the petitioner along with other co-accused persons was absent since 23.07.2015 and hence the bail bond of the petitioner was cancelled on 23.06.2016.

4. It has been submitted on behalf of the petitioner that the bail bond of the petitioner was cancelled on 23.06.2023 and non-bailable warrant was issued against all the accused persons. Police arrested the petitioner and produced him before court on 21.08.2023. He further submitted that the petitioner was unaware of said transfer of the case due to which the bail bond of the petitioner was cancelled. The petitioner has no criminal antecedent. No specific overt act is alleged against the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sessions Trial No. 363 of 2015 arising out of Sasaram (M) P.S. Case No. 277 of 2014, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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