

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1141 of 2023**

Arising Out of PS. Case No.-56 Year-2012 Thana- ALAMNAGAR District- Madhepura

Mithlesh Yadav @ Mithilesh Yadav S/O Late Dhunmun Yadav Resident Of
Village- Shekhpur Chaman, P.S.- Udakishunganj, District- Madhepura

... .. Appellant/s

Versus

1. The State Of Bihar
2. Chano Rishideo S/O Mahanthi Rishideo Resident Of Village- Akaha, P.S.-
Alam Nagar, District- Madhepura.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dinesh Prasad Verma
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

5 25-01-2024 Heard learned counsel for the appellant and learned
Spl.PP for the State.

The instant appeal has been filed by the appellant against the order dated 18.01.2023 passed by learned Additional Sessions Judge, 1st cum Special Judge SC/ST Act, Madhepura whereby the prayer for bail of the appellant in connection with Alamnagar P.S. Case no. 56 of 2012 under Sections 341, 323, 379, 504 and 34 of the Indian Penal Code and sections 3(1) (x) of SC/ST Act was rejected.

The present case was registered in the year of 2012 and the appellant was granted bail on 09.07.2012 by the Court of learned CJM, Madhepura. Thereafter, the bail bond of the



appellant was cancelled on 04.09.2013 due to his non-appearance in trial. Thereafter, he remained absent despite issuing all the processes against him and non-bailable arrest warrant was issued against him and declared him absconder on 17.03.2015. He was arrested by the police on 22.07.2022 and since then he is languishing in judicial custody.

There is willful and mala fide intention of the appellant and due to his non-appearance, the trial has hampered.

Having heard learned counsel for the parties and considering the fact that there is huge misuse of bail, this court is not inclined to enlarge the appellant on bail and, as such, his appeal stands rejected.

The trial court is directed to expedite the trial and conclude the same within a period of six months, failing which, the appellant will be at liberty to renew his prayer for bail.

(Sunil Kumar Panwar, J)

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