

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48631 of 2023

Arising Out of PS. Case No.-188 Year-2011 Thana- BHAGWANPUR District- Vaishali

NARESH SAHNI @ NARESH SHAHNI @ RANTHI EXPRESS Son of
Late Jimedar Sahani Resident of village - Maksudanpakari, P.S. - Lalganj,
Distt. - Vaishali at Hajipur

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachin Kumar

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 24-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection
with Bhagwanpur P.S. Case No. 188 of 2011 instituted for the
offence under Sections 395, 397, 412 of the Indian Penal Code.

3. It is a case of misuse of the privilege of bail by the
petitioner. The present case was registered in year of 2011
thereafter, the petitioner was enlarged on bail on dt. 21.1.2017
but due to his non-appearance in trial, his bail bond was
cancelled by concerned court on 23.8.2017.

4. It is submitted by learned counsel for the petitioner
that the petitioner has not misused the privilege of bail



deliberately. The petitioner went to Delhi for his livelihood but his *parvikar* was not informing properly the Advocate due to which his bail bond was cancelled. The petitioner is languishing in judicial custody since 17.2.2023.

5. By way of supplementary affidavit, it has been brought on record by learned counsel for the petitioner that charge has been framed against the petitioner.

6. Learned APP appearing for the state has vehemently opposed the prayer of regular bail.

7. Considering the facts that the charge has been submitted as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with S. Tr. No. 19 of 2014 arising out of Bhagwanpur P.S. Case No. 188 of 2011 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII, Vaishali at Hajipur with subject to following conditions:-

(i) the petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



(ii) In case, the petitioner is found trying to tamper with the evidence, his bail bonds shall be canceled by the trial court.

(Sunil Kumar Panwar, J)

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