

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2357 of 2024

Arising Out of PS. Case No.-135 Year-1999 Thana- BRAHMPUR District- Buxar

Ashok Yadav Son Of Late Baijnath Yadav Resident Of Village - Chakaudha,
P.S. - Nawanagar, District - Buxar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Brahampur (Krishnabraham) P.S. Case No. 135 of 1999 instituted for the offence under Section 396 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 1999 thereafter, the petitioner was enlarged on bail but due to his non-appearance in trial, his bail bond was cancelled by concerned court on 24.8.2023.

4. It is submitted by learned counsel for the petitioner that the petitioner has not misused the privilege of bail deliberately. There is no willful intention of the petitioner to



hamper the trial. When the petitioner knew about cancellation of his bail bond, he voluntarily surrendered before Court on 14.9.2023 and since then he is languishing in judicial custody. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition.

5. Learned APP appearing on behalf of the state has opposed the prayer of bail.

5. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Brahampur (Krishnabraham) P.S. Case No. 135 of 1999 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-4, Buxar 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 threatens the witnesses or temper the evidence after enlargement of bail, his bail bonds



will be cancelled by the Court below.

(Sunil Kumar Panwar, J)

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