

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7348 of 2025**

Arising Out of PS. Case No.-537 Year-2005 Thana- DANAPUR District- Patna

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Pappu Choudhary @ Pappu Pasi S/o- Suresh Choudhary Resident of  
Sultanpur Lal Kothi P.S- Danapur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar, Adv.

For the Opposite Party/s : Mr.Syed Ehteshamuddin, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

3      15-05-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Danapur P.S. Case No. 537 of 2005, registered for the offences under Sections 364(A) and 34 of the Indian Penal Code.

3. The instant petition relates to misuse of privilege of bail. The petitioner was granted bail but the bail bond of the petitioner was cancelled on 06.01.2012 and thereafter proceeding under Section 83 of the Cr.P.C. took place.

4. Learned counsel for the petitioner submits that the misuse of bail was not deliberate and when the petitioner went outside the State to earn his livelihood as after framing of charges on 09.05.2008 no witness turned up for almost four



years but the person who was assigned by the petitioner to make *parivi* on his behalf did not attend the case and as such the bail bond of the petitioner was cancelled. Only when in November 202, when the petitioner returned home, he came to know about processes being issued against him and thereafter he surrendered before the learned trial court on 05.12.2024 and since then he is in custody. Petitioner undertakes to regularly appear before the learned trial court and not to misuse the privilege again, if granted bail. The petitioner further undertakes that he would not commit this mistake in future and he will remain physically present before the learned trial court on each and every date and a supplementary affidavit to this effect has also been filed on record. Learned counsel further submits that the petitioner is not a habitual offender and is having clean antecedent.

5. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner. Learned A.P.P. submits that due to petitioner and other co-accused persons absconding from trial, trial has got delayed.

6. Having regard to the fact and circumstances and though it is a case of long misuse having regard to the period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten



Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII, Danapur/concerned court, in connection with Danapur P.S. Case No. 537 of 2005, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

Anuradha/-

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