

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9991 of 2025

Arising Out of PS. Case No.-59 Year-2020 Thana- BIHIA District- Bhojpur

Sanjay Yadav S/O Late Shivnarain Yadav R/O Vill.- Suremanpur, P.S.-
Shahpur, Bahoranpur, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Malti Kumari, Adv.

For the Opposite Party/s : Mr. Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The application for grant of bail to the petitioner who is in custody in connection with Bihiyan P.S. Case No. 59 of 2020 registered for the offence punishable under Section 395 of the Indian Penal Code.

3. This is a case of misuse of privilege of bail, as earlier the petitioner was granted bail by the Court of learned Sessions Judge, Bhojpur at Ara in Sessions Trial No. 55 of 2024. However, despite commitment of the case, the petitioner failed to ensure his appearance leading to cancellation of his bail bond(s) and finally the non-bailable warrant was issued and the petitioner was taken into custody on 09.01.2025.

4. Learned counsel for the petitioner undertakes that



the petitioner shall remain present on each and every date of trial till its conclusion. Moreover, the petitioner bears no criminal antecedent and now he is in custody for over a period of one month.

5. On the other hand, learned counsel for the State opposed the bail application.

6. Considering the fact that the petitioner is in custody since 09.01.2025 and the present is the case of misuse of bail, coupled with the undertaking given by the petitioner, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Bhojpur at Ara in connection with Bihiyan P.S. Case No. 59 of 2020, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.



(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

rohit/-

U		T	
---	--	---	--

