

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20997 of 2025

Arising Out of PS. Case No.-38 Year-2015 Thana- PURNAHYA District- Sheohar

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Kailash Thakur Son of Late Raman Thakur, Resident of Village-Purnahiya,
PS-Purnahiya, District- Sheohar. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh, Advocate
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 08-09-2025 Heard learned counsel appearing on behalf
of the parties.

2. Accused/petitioner is not named in FIR
and is in custody since 22.01.2025.

3. Accused/petitioner was on bail in terms
of order dated 01.07.2016 as passed by this Court
in Cr. Misc. No. 21510 of 2016.

4. Due to non-appearance, bail bond of the
petitioner was cancelled by the learned trial court
on 09.08.2024 and, therefore, on the ground of
misuse of privilege of bail, petitioner is in custody
since 22.01.2025.

5. It is submitted by learned counsel
appearing for the petitioner that petitioner never
misused his privilege of bail for long eight years



but due to certain miscommunication, on last occasion petitioner could not appear before the learned trial court, which was neither intentional nor deliberate, rather due to lack of knowledge. It is submitted that it is the first misuse of the petitioner. While concluding argument, it is pointed out that the petitioner mentioned his criminal antecedents three, for the reasons that he has already acquitted in five criminal cases after facing the trial but prosecution has endorsed those cases also, where the petitioner was acquitted.

6. Learned APP could not disputed the aforesaid factual submissions.

7. Considering the fact as this is the first misuse of the petitioner, who remains in custody since 22.01.2025, accordingly, petitioner above named, is directed to be released on bail in connection with Sessions Trial No. 67/2016 (arising out of Purnahiya P.S. Case No. 38/2015 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Principal



Sessions Judge, Sheohar/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS, with further condition that:-

Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(Chandra Shekhar Jha, J)

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