

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12562 of 2015

Arising Out of PS.Case No. -581 Year- 2014 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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Rajan Kumar son of Ramashankar Sharma, R/o Mohalla Banuchhapar, P.S.
Bettiah (Mufassil), District- West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 26-05-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 399 and 402 of the Indian Penal Code.

Though the petitioner is named in the F.I.R., vide Annexure-1, as an accused and there is allegation of recovery of one loaded pistol for which a separate criminal case was also lodged in which he has already been granted bail vide order dated 05.02.2015 passed in Cr. Misc. No. 4993 of 2015 by a Bench of this Court [Coram: Hemant Kumar Srivastava,J], as per submissions made by the learned counsel appearing on behalf of the petitioner, and further taking into consideration the fact that he is in judicial custody since 22.10.2014, the prayer for bail is allowed. The petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 581 of 2014, subject to the conditions that:

- (A) One of the bailors must be a government servant or close family member of the petitioner, who

(B)

will file an affidavit in the court below showing his/her relationship with the petitioner, if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and

(C)

the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Prasad Verma, J)

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