

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8695 of 2015

Arising Out of PS.Case No. -728 Year- 2014 Thana -BETTIAH TOWN District- WEST
CHAMPARAN (BETTIAH)

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1. Rakesh Kumar Jaiswal, s/o Late Dina Nath Prasad Jaiswal, resident of
Banuchhapar, P.S. Bettiah Mufassil, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2/ 03-03-2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for the
offence under Section(s) 302, 120-B Indian Penal Code and
Section 27 of the Arms Act.

Considering that there is no direct material against
the Petitioner, who has fair antecedents, let him (Rakesh Kumar
Jaiswal) be released on bail on furnishing bail bond of ₹5,000/-
(Five Thousand) with two sureties of the like amount each or any
other surety to be fixed by the Court below to the satisfaction of
the Chief Judicial Magistrate, West Champaran at Bettiah, in
connection with Bettiah Town P.S. Case No.728 of 2014, subject
to the conditions:

(i) That one of the bailors will be a close relative of

the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner,

- (ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and, if he is, he shall not be released on bail,
- (iii) That the bailors shall also state on affidavit that they will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse,
- (iv) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse, and
- (v) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

JA/-

(Anjana Prakash, J)

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