

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12555 of 2015

Arising Out of PS.Case No. -49 Year- 2015 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

Sunil Kumar @ Sunil Kumar Rai @ Chunnu Kumar @ Chunna Kumar@
Sunil Rai S/o Ramdeo Rai, R/o Village- Sabalpur Hasti Tola, P.S.- Sonpur,
District- Saran at present R/o Village- Gandhi Aashram, P.S.- Hajipur
Town, District- Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rina Sinha

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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 Section 392 of the Indian Penal Code.

Taking into consideration that the petitioner is not named in the F.I.R., vide Annexure-1, as an accused and no incriminating article has been recovered either from his house or possession and further taking into consideration the fact that he is said to be the first offender and is in judicial custody since 19.01.2015, his 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., Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 49 of 2015, subject to the conditions that:

- (A) One of the bailors must be a government servant or close family member of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,

- (B) 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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