

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1608 of 2015**

Arising Out of PS.Case No. -94 Year- 2011 Thana -PHENHARA District-  
EASTCHAMPARAN(MOTIHARI)

=====

1. Ashok Rai, S/O Late Kailash Rai, R/O Vill-Maudilwa, P.S-Chiraiya,  
Distt.-East Champaran

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sucheta Yadav, APP

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH**  
**ORAL ORDER**

2/ 16-01-2015

Heard learned counsel for the Petitioner, Informant  
and the State.

The Petitioner seeks bail in a case instituted for the  
offence under Section(s) 302, 201/34 Indian Penal Code.

Considering that there is no direct material against  
the Petitioner, who has fair antecedents, let the Petitioner, above  
named, 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 Sub-Divisional Judicial Magistrate, Sikarahana, Motihari, East  
Champaran, in connection with Phenhara P.S. Case No.94 of  
2011, 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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