

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.742 of 2015

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Bihari Singh S/o late Suresh Singh, resident of village Muradpur, P.S.
Rosera, District Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Murlidhar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 09-01-2015

Heard learned Counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Sections 304B, 201 and 120B of the Indian Penal Code.

It has been submitted on behalf of the Petitioner that since the Petitioner had gone away to Punjab and is distant relative of the in-laws of the deceased he could not surrender earlier. He is ready to face the trial along with the co-accused.

In such circumstances, the Judicial Magistrate, 1st class, Rosera, District Samastipur is directed to immediately commit the case to the court of Sessions. The Trial Court shall amalgamate both the trials and in view of the submission of the Petitioner that he is ready to accept the evidence which have already been adduced. The Trial Court shall not summon the witnesses once again and shall proceed from the date of amalgamation.

Considering the aforesaid undertaking and in the interest of justice, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 5,000/-(Five thousand) with two sureties of the like amount each or any other surety to be fixed by the court concerned to the satisfaction of Sri Rakesh Kumar, J.M., 1st class, Rosera, District Samastipur in connection with Rosera P.S. Case No.88 of 2002, subject to the conditions (i) That one of the bailor 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 bailor will undertake to furnish information to the Court about any change in address of the petitioner. (ii) 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, (iii) That the petitioner will be well represented on each date if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Anjana Prakash, J)

Narendra/-

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