

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 1368 of 2015

Arising out of P.S. Case No. -54 Year- 2014 Thana -PATEPUR

District- VAISHALI(HAJIPUR)

Subodh Kumar Son of Sone Lal Sahni resident of Village Mahmadpur, Balua Road Koari, Police Station - Pusa Road (Waini), District - Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Adv.

For the Opposite Party/s: Mr. Manoj Kumar No.1 (APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 16.01.2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in a case instituted for the offences under Section 414/34 of the Indian Penal Code.

Considering that the Petitioner is in custody since 01.04.2014 and has fair antecedents, let him 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 as fixed by the Court to the satisfaction of Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in connection with Patepur P.S. Case No. 54 of 2014 subject to the following 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 and the other bailor shall be the mother of the Petitioner namely Shanti Devi. The bailor



will also undertake to inform the Court if there is 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 bailor shall also state on affidavit that he 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. (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.

The Court below will consider directing the present case to the Court at Samastipur for amalgamation with the parent case of theft i.e. N.H. Bangra P.S. Case No. 38 of 2014.

(Anjana Prakash, J.)

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