

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 2237 of 2015

Arising out of P.S. Case No. -105 Year- 2014 Thana -
JAMALPUR District- MUNGER

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Devendra Kumar @ Devendra Mahto @ Mamu Son of Upendra
Mahton Resident of Village - Rishi Paharpur, P.S- Surggarha,
District – Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binoy Kumar Sinha-1, Adv.

For the Opposite Party/s: Mrs. Asha Kumari (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 20.01.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for
the offences under Sections 395 and 397 of the Indian
Penal Code.

Considering that apart from confessional
statement of the co-accused there is no other material
against the Petitioner, let the Petitioner, above named who
has fair antecedents 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 Chief Judicial Magistrate,
Munger in connection with Jamalpur P.S. Case No. 105 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 brother of the Petitioner namely Krishnadeo Mahton. 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.

(Anjana Prakash, J.)

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