

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2504 of 2015

Arising Out of PS.Case No. -104 Year- 2000 Thana -PIRBAHOR District- PATNA

1. Mithilesh Singh Son of Late Shyam Narayan Singh Resident of Village -
Udwant Nagar, Police Station - Udwant Nagar in the district of Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. R.B.Rai Raman(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 22-01-2015 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offence under section 379 of the I.P.C.

Considering that the petitioner is in custody since
25.11.2014 for misuse of privilege of bail. Now, son of the
petitioner, Ajit Kumar Singh undertakes his responsibility, let the
petitioner, Mithilesh Singh be released on furnishing bail bond of
Rs. 5000/- (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 Smt. Gayatri Kumari, Judicial Magistrate 1st
class, Patna in connection with Pirbahore P.S.Case No. 104 of
2000 Subject to the conditions (i) That one of the bailors will be
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 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 the cancellation of bail on the ground of misuse, iii) 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 iv) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

In view of the nature of allegations, the petitioner is directed to appear before the Superintendent of police, Patna within fifteen days of his release with a copy of this order and every two weeks thereafter for the next six months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the Court concerned by him

to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

The trial Court is directed to send a list of the witnesses fixing specific dates for each witness for their examination alongwith a copy of this order to the concerned Superintendent of Police, who is directed to ensure the attendance of the witnesses on the date fixed so that there is no further delay in the trial.

(Anjana Prakash, J)

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