

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 3205 of 2015

Arising out of P.S. Case No. -93 Year- 1990 Thana -
BARAHIYA District- LAKHISARAI

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Ram Sewak Singh @ Bhajo Singh @ Sewak Singh, Son of
Rajeshwari Singh @ Naduli Singh, Resident of Village-
Barahiya, P.S.-Barahiya, District-Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Om Prakash Maharaj, Adv.

For the Opposite Party/s: Mr. A.Dayal (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 23.01.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for
the offences under Sections 147, 148, 149, 324, 307 and
353 of the Indian Penal Code and Sections 25(A), 26 and
27 of the Arms Act.

Considering that the Petitioner kept absconding
for a number of years, I am not inclined to grant bail to
him for the present. The prayer for bail is rejected.

However, the Petitioner may be released on bail
after framing of charge on an undertaking that he will be
physically present on each date of trial for which his
cousin brother, Babloo Singh undertakes his
responsibility 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 Additional District and Sessions Judge-II, Lakhisarai in connection with S.Tr. No. 326 of 2003 arising out of Barahiya P.S. Case No. 93 of 1990 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 cousin brother of the Petitioner namely Babloo Singh. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner. (ii) 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. (iii) That the Petitioner will be physically present on each date of trial and if he fails to do so on two consecutive dates without reasonable cause, his bail shall stand automatically cancelled.

(Anjana Prakash, J.)

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