

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.837 of 2015

=====

Santosh Musahar, Son of Late Kuber Musaharm Resident of Village-
Sawath, P.S.-Durgawati, District-Kaimur (Bhabua)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay, Adv.

For the Opposite Party/s : Mr. M.K. Nirala, (APP)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 15-04-2015

Heard learned Counsel for the petitioner and the State.

The petitioner was refused bail by the order dated 25.9.2014 passed in Cr. Misc.35503 of 2014 but had been granted liberty to renew his prayer for bail after framing of charge.

Annexure-3 reveals that now charges have been framed.

In view of such, 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 learned Chief Judicial Magistrate, Bhabua, in connection with Durgawati P.S. Case No. 119 of 2014, subject to the 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. 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 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.

In the meanwhile, the Trial Court is directed to send a list of the witnesses **fixing specific dates** for production of the witnesses along with a copy of this order in connection with Durgawati P.S. Case No. 119 of 2014, to the Superintendent of Police, Bhabua, and the Superintendent of Police, Bhabua is directed to ensure production of the witnesses on the date so fixed by the Trial Court so that there is no further delay in trial.

S.Ali/-

(Anjana Prakash, J)

U		T	
---	--	---	--