

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4894 of 2015

Arising Out of PS.Case No. -135 Year- 2014 Thana -RAFIGANJ District- AURANGABAD

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Md. Wahid Hussain, S/O Late Abdul Sattar, Resident of vill-Hajipur Gola,
P.S-Rafiganj, Distt.-Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh, Adv.

For the Opposite Party/s : Mr. Sadanand Paswan, (Spl.App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 15-04-2015

Heard learned Counsel for the petitioner and the State.

The petitioner was allowed bail by the order dated 19.12.2014 passed in Cr. Misc. 50818 of 2014 in which one of the conditions was that an affidavit would be filed on his behalf that he has fair antecedents, but, since the Petitioner was an accused in two other cases, such an affidavit could not be filed and he remained in custody.

Considering that on merits, this Court was of the view that the Petitioner should be released on bail, 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, Aurangabad, in

connection with Rafiganj P.S. Case No. 135 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 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 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. (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.

The Petitioner is directed to deposit a sum of Rs.250/- in the District Legal Aid Committee, Aurangabad.

(Anjana Prakash, J)

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