

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23472 of 2014

Arising Out of PS.Case No. -139 Year- 2012 Thana -POTHIYA District- KISANGANJ

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1. Kishori Rajak Son of Late Faguni Choudhary, Agriculture Office, Pothia,
Resident of Block Campus, Pothia, P.S.- Pothia, District - Kishanganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate

For the Opposite Party/s : Mr. B.Ram, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

4 09-01-2015

Heard learned Counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offence under Section 409 of the Indian Penal Code.

Considering that the Petitioner is in custody since
11.3.2014 and in the nature of lapses having been committed by
Government officials departmental proceeding is warranted and
the Petitioner is under suspension, 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, Kishanganj in connection with
Pothia P.S. Case No.139 of 2012, subject to the conditions (i) That
one of the bailor 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 undertake to furnish information to the Court about any change in 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 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 if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

Let this order be communicated to the District Magistrate, Kishanganj for needful action on the aforesaid.

(Anjana Prakash, J)

Narendra/-

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