

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13964 of 2015

Arising Out of PS.Case No. -55 Year- 2011 Thana -MANJHI District- SARAN

Prabhakar Singh S/o Jai Prakash Singh Resident of Village Fulwariya
Tajpur, P.S. Manjhi, District Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Binod Kumar –III, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 27-05-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Section 307/34 and some other allied offences under the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is named in the F.I.R. vide Annexure-1, as an accused and the case was originally instituted against the petitioner, besides others, for the offences under Section 307 of the Indian Penal Code besides other offences, but on close of investigation charge sheet was submitted under Section 326 and some other allied offences under the Indian Penal Code, and not under section 307 I.P.C. It is further submitted that the petitioner is in custody since 20.01.2015 and he is the first offender.

Taking into consideration the aforesaid aspect, his prayer for bail is allowed. The petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saran at Chapra in connection with Manjhi P.S. Case No. 55 of 2011, dated 24.05.2011 (G.R. No. 1664 of 2011)

subject to the conditions that:

- W R
NO
- (A)

One of the bailors must be a government servant or close family member of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,
- (B)

if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and
- (C)

the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Prasad Verma, J)

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