

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31328 of 2014

Arising Out of PS.Case No. -72 Year- 2014 Thana -DINARA District- SASARAM (ROHTAS)

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1. Nikhil Kumar, S/o Durgesh Prasad, resident of village - Chhatarpura,
P.S. Kauridih, P.S. Bhojpur (Ara)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Anil Pd. Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

5/ 29-01-2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for the
offence under Section(s) 376/34, 341, 323 Indian Penal Code.

Considering that during investigation credibility of
the alleged victim appears suspicious and the Petitioner has fair
antecedents, let him be released on bail on furnishing bail bond of
₹5,000/-(Five Thousand) with two sureties of the like amount each
or any other surety to be fixed by the Court below to the
satisfaction of the Sub-Divisional Judicial Magistrate, Bikramganj,
Rohtas, in connection with Dinara P.S. Case No.72 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 bailors will undertake to furnish information to the court about 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 bailors shall also state on affidavit that they 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 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, and
- (v) 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.

JA/-

(Anjana Prakash, J)

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