

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 23891 of 2014

Arising out of P.S. Case No. -246 Year- 2013 Thana -SAHPUR
District- BHOJPUR

=====

Anish Kumar Pandey Son of Satya Narayan Pandey Resident of
Village - Mahuar, P.S. Nanijor, District – Buxar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ram Priya Sharan Singh, Adv.

For the Opposite Party/s : Mr. A.L Pandit (APP)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL ORDER

05. 20.01.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for the
offences under Sections 302 and 201 of the Indian Penal Code.

Considering that there is no direct material against
the Petitioner who is in custody since 21.12.2013 and
undertakes to be physically present on each date of trial, let
him 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 as fixed by the Court to the satisfaction of
Chief Judicial Magistrate, Bhojpur at Arrah in connection with
Sahpur P.S. Case No. 246 of 2013 subject to the following
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 physically present on each date of trial and if he fails to do so on two consecutive dates without reasonable cause, his bail shall stand automatically cancelled.

The Trial Court is directed not to wait for the order of Revision and proceed with the trial if there is no stay by the Revisional Court in terms of the High Court Circular. Also, it shall send a list of the witnesses **fixing specific dates** for production of the witnesses along with a copy of this order, to the Superintendent of Police, Bhojpur at Arrah, and the Superintendent of Police, Bhojpur at Arrah 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.

Counsel for the Informant also undertakes that he will co-operate with the trial for expeditious disposal of the same.

(Anjana Prakash, J.)

Vikash/-

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