

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 38972 of 2014

Arising out of P.S. Case No. -203 Year- 2013 Thana -GUTHNI
District- SIWAN

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Sudama Kushwaha S/o Chandraman Kushwaha Resident of
Village Ram Nath, Deoria, Police Station Devariya, District
Devariya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv.

For the Opposite Party/s : Mr. R.B.S.Pahepuri (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

03. 30.01.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for
the offences under Sections 461 and 379 of the Indian
Penal Code.

Considering that the Petitioner is not named in
the First Information Report nor was there any recovery
from his possession and has fair antecedents, 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, Siwan in
connection with Guthani P.S. Case No. 203 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 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 and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Anjana Prakash, J.)

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