

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 38467 of 2014

Arising out of P.S. Case No. -104 Year- 2014 Thana -BARSOI
District- KATIHAR

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Md. Noor Alam @ Noor Alam, Son of Md. Yunus, Resident of
Village-Saribari Tola, Choundi, Police Station-Barsoi, District-
Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Qumrul Hoda, Adv.

For the Opposite Party/s : Mr. Ashraf Ansari (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 Section 392 of the Indian Penal Code.

Considering that apart from circumstantial
material there is no direct evidence against the Petitioner
who 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 concerned
Judicial Magistrate, 1st Class, Katihar in connection with
Barsoi P.S. Case No. 104 of 2014 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 and

the other bailor shall be the brother of the Petitioner namely Md. Sami Alam. 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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