

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 40293 of 2014

Arising out of P. S. Case No. - 316 Year - 2014 Thana - BAGHA District - WESTCHAMPARAN
(BETTIAH)

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1. Biga Sahani, Son of Late Ram Awatar Sahani, Resident of Village -
Teliya Tola Ratanmala, P.S. - Bagaha, Distt. - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra, Advocate

For the Opposite Party/s : Mr. Ram Chandra Sahni, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3 27-01-2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for
the offences under Sections 341, 323, 325, 307, 379 and 34 of the
Indian Penal Code.

Considering the nature of allegations, counter
version of the occurrence and the genesis of the same as also the
fair antecedents of the Petitioner, 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 Additional Chief Judicial Magistrate,
Bagaha (West Champaran) in connection with Bagaha P.S. Case
No. 316 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. 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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