

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 38977 of 2014

Arising out of P.S.Case No. -38 Year- 2012 Thana -ISLAMPUR
District- NALANDA (BIHARSHARIFF)

Chhotey Lal Nonia @ Chhotey Nonia S/o Late Ganauri Nonia
Resident of Panheta, P.S. Nalanda, District Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Adv.

For the Opposite Party/s : Mr. Manoj Kumar (APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 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 366A/34 of the Indian Penal
Code.

It has been submitted that from the statement
recorded under Section 164 Cr.P.C. it appears to be a
case of consent.

Be that as it may, let the Petitioner, above named
who has fair antecedents 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, Hilsa, Nalanda in connection with Islampur
P.S. Case No. 38 of 2012 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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