

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41812 of 2014

Arising Out of PS.Case No. -88 Year- 2014 Thana -BAJPATTI District- SITAMARHI

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Harikesh Jha @ Harkesh Jha S/o Late Rasho Jha Resident of village -
Bhalni Madan, P.S. - Bajpatti, Dist. Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra

For the Opposite Party/s : Mr. C.Jawahar(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL ORDER

3 21-01-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for offence under sections 436, 427, 504, 506/34 of the Indian Penal Code and the fact that there is a case and the counter case and the case filed by the petitioner is prior to the present case in which he has been taken into custody as also that the petitioner has got no criminal antecedent and the whole dispute seems to be arising out of the land dispute, this Court also in view that the petitioner is in jail since 28.6.2014 would direct for release of the petitioner, Harikesh Jha @ Harkesh Jha, on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Pupari, Sitamarhi in Bajpatti P.S.Case No. 88/2014, subject to the following conditions:

(i) That both the bailors will be a close relative of

the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) 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.

(iii) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on the 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.

(iv) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

surendra/-

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(Mihir Kumar Jha, J)