

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 23940 of 2015

Arising out of P.S. Case No. -23 Year- 2010 Thana -GOH
District- AURANGABAD

Rajkumar Sharma Son of Mr. Jhakhuri Sharma @ Sri Kishan
Sharma Resident of Village - Motha, P.S. Goh, Distt -
Aurangabad (Bihar). Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sinha, Adv.
For the Opposite Party/s: Mr. Nirmal Kr. Sinha (APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

03. 07.10.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for
the offences under Sections 147, 148, 149, 447, 342, 504
and 302 of the Indian Penal Code and Section 27 of the
Arms Act.

A Report of the Sub-divisional Judicial
Magistrate, Daudnagar has been received from which it
appears that it is only recently that the case was
committed to the Court of Sessions and no fault is
attributed to the Petitioner for the delay.

Considering the circumstances of the case and
that the Petitioner is not an accused in any other case of
similar nature, let the Petitioner, above named be released
on bail **after framing of charge provided his case is not
bifurcated for the said purpose** 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 Sub-divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Goh P.S. Case No. 23 of 2010 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 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 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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