

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46921 of 2014

Arising Out of PS.Case No. -148 Year- 2014 Thana -POTHIYA District- KISANGANJ

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Jamshed Alam S/o Late Md. Nazir, resident of Village Kathkuan, Police Station Pothia, District Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 20-02-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 457 and 380 of the Indian Penal Code.

Taking into consideration the fact that the petitioner is not named in the first information report vide Annexure-1 as an accused and he is in judicial custody since 10.07.2014 and further taking into consideration that no other criminal case except the present one is pending against the petitioner, his prayer for bail is allowed. The above named petitioner is ordered to be released on bail on furnishing bail bond of Rs.25,000/-(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Sri S.K.Manjhi, learned Judicial Magistrate, Ist Class, Kishanganj in connection with Pothia P.S.Case No. 148 of 2014, subject to the following conditions:

(A) one of the bailors must be government servant or close family members of the petitioner who will file an affidavit in the court below showing his/her relationship with the petitioner,

(B) if the petitioner is found involved in same and similar nature of cases in future, then

in that case, the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned, and

(C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Prasad Verma, J)

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