

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48179 of 2014

Arising Out of PS.Case No. -258 Year- 2013 Thana -BASANTPUR District- SIWAN

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Shiv Pujan Prasad, Son of Asarfi Prasad, R/o village- Korar, P.S.-
Basantpur, District- Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Rana Randhir Singh, Addl.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 20-02-2015

Heard.

The petitioner seeks bail in a criminal prosecution registered under Section 302/34 of the Indian Penal Code.

It is submitted that there is a case and counter case from both the sides and in the FIR vide Annexure-1 allegations against the petitioner and other accused persons are general and omnibus in nature. It is further highlighted that the petitioner is an old man aged about 80 years and he is in judicial custody since 03.09.2014.

Be that as it may, in the facts and circumstances of the case, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Basantpur P.S.Case No.258 of 2013, subject to the conditions that:

- (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;
- (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 date, 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)

Arvind/-

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