

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48106 of 2014

Arising Out of PS.Case No. -421 Year- 2012 Thana -MADHEPURA District- MADHEPURA

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Roshan Kumar Son of Bhupendra Yadav, resident of village- Lokha, Police Station and District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kuamr, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, 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 Section 302/34 of the Indian Penal Code as also under Section 27 of the Arms Act.

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 13.02.2013, 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 learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S.Case No. 421 of 2012, subject to the following conditions:

(A) one of the bailors of the petitioner must be a government servant,

(B) Other bailor of the petitioner shall be a family member or a close relation who will file an affidavit in the court below showing his/her relationship with the petitioner,

(C) 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

(D) 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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