

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51633 of 2014

Arising Out of PS.Case No. -79 Year- 2013 Thana -MEERGANJ District- PURNIA

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Hari Mangal Mandal, son of Sri Surya Mohan Mandal, resident of village Sabaiya, P.S. Mirganj, Distt. Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Shekhar, Adv.

For the State : Ms. Asha Kumari, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 05-01-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in a case instituted for the offence under Sections 364, 120(B) and 34 of the Indian Penal Code.

In view of the submission of the Petitioner that it was not the Petitioner but Gera Tudu who had confessed his guilt before the Panchayat, let the Petitioner above named who has fair antecedent, be released on bail on furnishing bail bond of Rs.5,000/- (Five thousand) with two sureties of the like amount each or any other surety to be fixed by the Court below to the satisfaction of Additional Chief Judicial Magistrate, Purnea, in connection with Mirganj P.S. Case No. 79 of 2013 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 affidavit shall clearly state that the Petitioner is not an accused in any other case and if he is, he shall not be released on bail. (iii) 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. (iv) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on 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. (v) 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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