

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49902 of 2013

Arising Out of PS.Case No. -46 Year- 2013 Thana -PIPRAHI District- SHEOHAR

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1. Nathu Paswan Son Of Late Lochan Paswan, Resident Of Village-
Nayagaon, Mahuawa, P.S.- Piprahi, District- Sheohar

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

6 06-01-2015

Heard learned Counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Sections 147, 148, 149, 341, 323, 337, 448, 307 and 302 of the Indian Penal Code.

Even though the report of the Trial Court is that charges were framed on 15.5.2014 but the submission of the Petitioner is that till date not a single witness has been examined.

Considering the aforesaid aspect as also the counter version, let the petitioner above named, who undertakes to be physically present on each date of trial, 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 concerned to the satisfaction of learned Chief Judicial Magistrate, Sheohar in connection with Piprahi P.S. Case No.46 of 2013, subject to the conditions (i) That one of the bailor 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 undertake to furnish information to the Court about any change in 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 ground of misuse, (iv) That the petitioner shall be physically present on each date of trial and if he fails to do so on two consecutive dates without any reasonable cause, his bail shall stand automatically cancelled.

The Trial Court is directed to send a list of the witnesses fixing specific dates for each witness for their examination along with a copy of this order to the S.P., Sheohar, who is directed to ensure the attendance of the witnesses on the date fixed by the Trial Court so that there is no further delay in the trial.

(Anjana Prakash, J)

Narendra/-

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