

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 4611 of 2015

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Binay Kumar Rai Son of Sri Ganesh Prasad Resident of Village - Sikraul, Police Station - Rajpur, District - Buxar, at present P.R.S. at Gram Panchayat Gangauli. Police Station - Simri, District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
 2. Programme Officer, Manrega, Block Simri, District - Buxar.
- Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy, Adv.

For the Opposite Party/s: Mr. Ram Sewak Choudhary (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

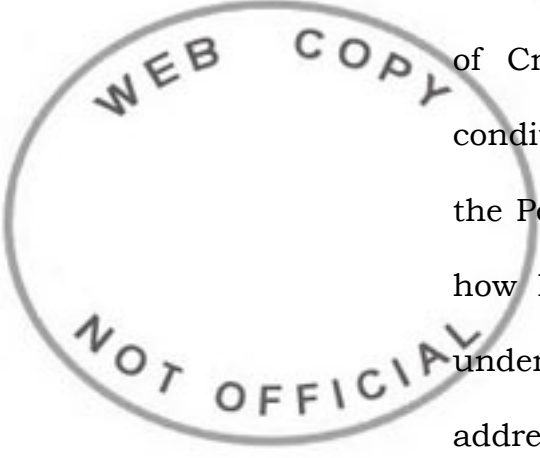
04. 25.03.2015

This is an application for modification of the order dated 19.11.2014 passed in Cr. Misc. No. 3667 of 2014.

Supplementary-Affidavit has been filed today stating therein in Paragraph 3 that the Petitioner has deposited Rs. 10,000/- in Treasury of District Magistrate, Buxar as is evident from Annexure-3.

In view of such, the Modification Application stands allowed.

In terms of earlier order dated 19.11.2014 vide Cr. Misc. No. 3667 of 2014, let the Petitioner, above named be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of four weeks from the date of receipt of the order on furnishing bail bond of Rs. 5,000/- (Five Thousand) with two sureties of the like amount each or any other surety as fixed by the Court to the satisfaction of Chief Judicial Magistrate, Buxar in



connection with Simri P.S. Case No. 211 of 2013 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as also 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.

Vikash/-

(Anjana Prakash, J.)

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