

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.12376 of 2015**

Arising Out of PS.Case No. -5 Year- 2014 Thana -RAIL District- LAKHISARAI

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Pramod Mishra @ Pramod Jha @ Pramod Ishra, Son of Vidyanand Mishra,  
R/o Village - Simaria, P.S. - Gidhour, District - Jamui.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Md. Irshad

For the Opposite Party/s : Mr. A.Haque Sahara(App)

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**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**  
**ORAL ORDER**

2 23-04-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under section 3 of the R.P. (U.P.) Act and the aspect that the recovery from the shop cum godown of the petitioner of certain stolen railway properties has been the first episode of the petitioner, who claims to have no criminal antecedent, this Court would direct the petitioner, Pramod Mishra @ Pramod Jha @ Pramod Ishra, to surrender in the court below within a period of four weeks from today and if he does so, he shall be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Railway Judicial Magistrate, Kiul in R.P.F./Jhajha Post Case No. 05 of 2014, subject to the following conditions:



(i) That the court below shall make verification of criminal antecedent of the petitioner and if it is found that he is accused in any other criminal case, he shall not be granted bail and would be taken into custody.

(ii) That both the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(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 the 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 and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

**(Mihir Kumar Jha, J)**

surendra/-

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