

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25251 of 2015

Arising Out of PS.Case No. -210 Year- 2014 Thana -RAGHOPUR District- SUPAUL

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Bhupendra Mehta @ Bhupendra Kumar Mehta son of Late Ramdeo Mehta,
resident of village- Daulatpur, P.S.- Raghopur, District- Supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s: Mr. Rajendra Singh Shastri Jee(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 26-08-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Sections 399 and 402 of the Indian Penal Code and Section 27 of the Arms Act, this Court, taking into account that the allegation of firing is against one Niranjana Yadav and that there is no specific allegation against the petitioner and also taking into account that the petitioner claims to be an accused only in one more similar case, would be inclined to grant privilege of anticipatory bail.

That being so, if the petitioner, namely, Bhupendra Mehta @ Bhupendra Kumar Mehta, surrenders before the court below within a period of four weeks from today, he shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned

Judicial Magistrate, Birpur (Supaul) in connection with Raghopur
P.S.Case No. 210 of 2014; subject to the following conditions:

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- (i) The court below, on verification of the criminal antecedent of the petitioner, if it finds that petitioner is accused in third case also except the present case and one another case being Bhaptiyahi P.S.Case No. 69 of 2008, shall not grant privilege of anticipatory bail to the petitioner.
 - (ii) That both the bailors will be close family relatives of the petitioner, who will undertake 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 affidavit shall clearly state that the petitioner is not accused in any other case and if he is, he shall not be released on bail.
 - (iv) That the bailors shall also state on affidavit that they 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 his bail on the ground of misuse.

- (v) That the petitioner will be well represented on each and every date in course 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)

Sujit/-

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