

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38683 of 2014

Arising Out of PS.Case No. -102 Year- 2013 Thana -EKMA District- SARAN

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Ishwar Dayal Singh, son of Amir Singh, Resident of Village Pachrukha,
P.S. Ekma, Dist. Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni, Adv.

For the Opposite Party/s : Mr. Satyendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 13-03-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation under Section 304(B)/34 of the Indian Penal Code and the fact that the petitioner is the father-in-law against whom there is an omnibus allegation and the specific allegations are only against Mantu Singh, the husband, this Court, keeping in view that the petitioner has also got no criminal antecedent, would direct that if the petitioner, namely, Ishwar Dayal Singh would surrender within a period of four weeks from today, the court below shall grant bail to the petitioner on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Chapra in connection with Ekama P.S. Case No. 102/13, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to the following conditions:-

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- (i) That both the bailors will be a close relative 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.
- (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 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 bail on the ground of misuse.
- (iv) 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)

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