

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6643 of 2015

Arising Out of PS.Case No. -223 Year- 2014 Thana -KATEYA District- GOPALGANJ

Bunela Singh Son of Late Kailashpati Singh Resident of Village - Ahirauli,
P.S. - Gopalpur, Distt. - Gopalganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Verma, Adv
For the Opposite Party/s : Mr. A.K.Chaudhary(App)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

4 09-07-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offence punishable under Sections- 364A/34 of the Indian Penal Code and that he has not been named in the statement under Section-164 Cr.P.C. by two of the persons allegedly abducted and in fact the implication of the petitioner is only after confession of the co-accused, who has been arrested by the police immediately after the incident, this Court taking into account that nothing incriminating has been found against the petitioner pursuant to the aforementioned

confession of the co-accused as also he has got no criminal antecedent would find him entitled for privilege of anticipatory bail.

That being so, if the petitioner namely, **Bunela Singh**, surrenders within a period of four weeks from today, he would 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 **Judicial Magistrate, 1st Class, Gopalganj** in connection with **Kateya P.S. Case No. 223 of 2014**, subject to the conditions laid down under Section- 438 (2) Cr. P.C and also 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 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 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 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.

Ranjan/-
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(Mihir Kumar Jha, J)