

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36457 of 2014

Arising Out of PS.Case No. -62 Year- 2011 Thana -DUMARIA District- GAYA

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Mithilesh Prasad S/o Deo Narayan Mahto Resident of Village Sidhpur, at
Kalhuwar More, Police Station Dumariya, District Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 20-02-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-302 and 34 of the Indian Penal Code and Section-27 of the Arms Act, was initially not named in the FIR and co-accused Janardan Mahto @ Janardan Singh having identical allegation has already been given the privilege of anticipatory bail by order dated 20.09.2012 passed in Criminal Miscellaneous No. 26106 of 2012, this Court taking into account that he has also got no criminal antecedent would direct that if the petitioner namely, Mithilesh Prasad, surrenders within a period of four weeks from today, he would be released



on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of **S.D.J.M. Sherghati, Gaya** in connection with **Dumariya P.S. Case No. 62 of 2011** subject to the conditions laid down under Section-438 (2) Cr. P.C and also subject to the following conditions:-

(i) 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.

(ii) 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.

(iii) 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.

(iv) 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)

Ranjan/-

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