

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.987 of 2015

Arising Out of PS.Case No. -38 Year- 2013 Thana -KRITYANAND NAGAR District- PURNIA

Surendra Kherwar, Son of Jaleshwar Kherwar, Resident of Village -
Birpur, Ward No.13, P.S.- Birpur, District - Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary (APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3 22-01-2015 Defect ignored.

Heard learned Counsel for the petitioner and the
State.

The petitioner seeks bail in a case instituted for the
offence under Sections 341, 323, 324, 307, 379, 109, 120(B) and
34 of the Indian Penal Code.

Considering that there is no allegation against the
Petitioner of having assaulted the injured and he has fair
antecedent, let the petitioner above named, be released on bail on
furnishing bail bond of Rs.5,000/-(Five thousand) with two
sureties of the like amount each or any other surety to be fixed by
the court concerned to the satisfaction of Adhoc Additional
Sessions Judge-VIII, Purnea, in connection with Sessions Trial

No. 585 of 2014 arising out of K. Nagar P.S. Case No. 38 of 2013, subject to the conditions, (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor 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 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 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 date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Anjana Prakash, J)

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