

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 50300 of 2014

Arising out of P.S. Case No. -519 Year- 1996 Thana -KASIMBAZAR
District- MUNGER

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Chandra Shekhar Prasad Chand Son of Govind Prasad, Resident of
Mohalla- Sandalpur, P.S.- Kasim Bazar, District- Munger.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Adv.

For the Opposite Party/s : Mr. S. N. Shukla, APP.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 02-04-2015

Considering that the Petitioner is ready to appear before the Court below within a period of three weeks from the date of receipt of this order, the entire proceeding including the order dated 10.11.2014 passed by the Sessions Judge, Munger in Cr. Rev. No. 161 of 2014 by which it has confirmed the order dated 02.08.2012 passed by the Judicial Magistrate, 1st Class, Munger in Kotwali (Kasim Bazar) P.S. Case No. 519 of 1996 (G.R. No. 1869 of 1996, Tr. No. 1497 of 2002) by which the Petitioner was declared absconder is, hereby, set aside.

The Petitioner is directed to appear before the Court below within a period of three weeks from the date of receipt of this order upon which he shall be granted bail on furnishing fresh bail bond of Rs. 5,000/- (Five Thousand) with two sureties of the like amount each or any other surety as fixed by the Court to the satisfaction of Sri Amit Kumar, Judicial Magistrate, 1st Class, Munger (or its successor) in connection with Kotwali (Kasim Bazar) P.S. Case No. 519 of 1996 (G.R. No.

869 of 1996, Tr. No. 1497 of 2002) subject to the following 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 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 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 physically present on each date of trial and if he fails to do so on two consecutive dates without reasonable cause, his bail shall stand automatically cancelled.

With these observations, the application is disposed off.

(Anjana Prakash, J.)

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