

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51092 of 2014

Arising Out of PS.Case No. -57 Year- 2014 Thana -MUFFASIL District- AURANGABAD

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Chandan Kumar Son of Sanjeet Singh Resident of Village - Manjurahi,
P.S. and District - Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 14-05-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-272 and 273 of the Indian Penal Code and Section-47(A) of the Excise Act, this Court taking into account that he has two more criminal cases, though not for offence of Excise Act by way of last grace to him would grant him (petitioner) the privilege of anticipatory bail. It is also made clear that now if the petitioner is found to have been made accused in any other criminal case, he shall not be entitled for grant of privilege of anticipatory bail.

That being so, if the petitioner namely, **Chandan**



Kumar, 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 **C.J.M. Aurangabad** in connection with **Aurangabad Muffasil P.S. Case No. 57 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 the fact that no other case for offence under the Excise Act is pending against the petitioner and only when it is found to be true the petitioner shall be granted bail.

(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.

(Mihir Kumar Jha, J)

Ranjan/-

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