

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.93 of 2015

Arising Out of PS.Case No. -222 Year- 2014 Thana -SURSAND District- SITAMARHI

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Md. Habibul Rahman, son of Md. David Rahman, resident of village
Bhemua, P.S. Sursand, Distt. Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Adv.

For the State : Mr. Arun Kumar, (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 08-01-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner apprehends his arrest in a case
instituted for the offence under Section(s) 420 and 406/34 of the
Indian Penal Code.

Considering that the entire case is based on
documentary evidence which has already been collected since
charge sheet has been submitted, it is ordered that in the event of
surrender/arrest of the Petitioner, named above who has fair
antecedent, within four weeks from the date of receipt/production
of a copy of this order, in connection with Sursand P.S. Case No.
222 of 2014, shall be released on anticipatory 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
below to the satisfaction of Sub-Divisional Judicial Magistrate,

Pupri at Sitamarhi, subject to the conditions as laid down under Section 438(2) Cr. P.C. and (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.

S.Ali/-

(Anjana Prakash, J)

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