

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43522 of 2014

Arising Out of PS.Case No. -297 Year- 2007 Thana -SUPAUL District- SUPAUL

=====

Md. Darban @ Darban, son of late Wajul, resident of Village- Dhiwak, P.S.
+ District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

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

For the O.P/s : Mr. Zainul Abedin (App)

=====

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 10-04-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for offence under Sections 341, 498A, 494, 380, 506/34 of the Indian Penal Code and that the petitioner is the elder brother of the husband of the complainant (Bhaisur) and that the allegation mainly is against the husband of the complainant, this Court, keeping in view that the petitioner also has got no criminal antecedent, would direct that if the petitioner namely Md. Darban @ Darban surrenders before the court below within a period of four weeks from today, he shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S.Case No. 297 of 2007, subject to the following conditions:

(i) That both the bailors will be close family relatives of the petitioner, who will undertake 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 affidavit shall clearly state that the petitioner is not accused in any other case and if he is, he shall not be released on bail.

(iii) That the bailors 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 his bail on the ground of misuse.

(iv) That the petitioner will be well represented on each and every date in course 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.

Sujit/-

(Mihir Kumar Jha, J)

U			
---	--	--	--