

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43528 of 2014

Arising Out of PS.Case No. -28 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-
SAMASTIPUR

=====

Suresh Mahto , son of late Ram Prasad Mahto, resident of Village- Oliaper
Bhairokhra P.S.- Tajpur Distt- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Advocate.

For the O.P/s : Mr. Rajiv Nayan (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 Section 47(A) of the Excise Act and that the petitioner claims to have no criminal antecedent and thereafter it is his first involvement in the case, this Court would direct the petitioner to be enlarged on bail, if the petitioner namely, Suresh Mahto, 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 Judicial Magistrate, 1st Class, Samastipur in connection with Samastipur Excise Case No. 28 of 2014, 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.

(Mihir Kumar Jha, J)

Sujit/-

U			
---	--	--	--