

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48560 of 2015

Arising Out of PS.Case No. -348 Year- 2015 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. Upendra Thakur, son of Late Kamla Thakur Resident of Village- Parsa Babua Tola, P.S. Majhauriya, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha, Advocate

For the Opposite Party/s : Mr. T.N.Thakur, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 16-10-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered under Section 414 of the Indian Penal Code and 15, 20, 21, 30 of the Arms Act.

Considering that the only allegation against the Petitioner is that two co-accused, who were arrested with arms and subsequently alleged stolen vehicles was coming out of his house and he has fair antecedents, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of four weeks from the date of receipt of this order in connection with Majhauriya P.S. case No.348 of 2015 on furnishing bail bonds of Rs.5,000/- (five thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bettiah, subject to the conditions as laid down under Section 438(2) of the Code of

Criminal Procedure as also conditions (i) That one of the bailor 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 undertake to furnish information to the Court about any change in 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 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 if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Anjana Prakash, J)

Narendra/-

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