

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48524 of 2015

Arising Out of PS.Case No. -246 Year- 2015 Thana -BIHIYA District- BHOJPUR

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1. Fagu Thakur @ Birendra Thakur Son of Sudeshwar Thakur resident of
village - Gaura, P.S. Bihiya, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madan Jeet Kumar, Advocate

For the Opposite Party/s : Mr. Manish Kumar No.2, 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 47A of the Excise Act.

Considering that the Petitioner is first offender, 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 Behiya P.S. case No.246 of 2015 on furnishing
bail bonds of Rs.5,000/- (five thousand) with two sureties of the
like amount each to the satisfaction of Sri Praveen Kumar
Srivastava, Judicial Magistrate, 1st class, Bhojpur at Ara, 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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