

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 49883 of 2015

Arising out of P.S. Case No. -398 Year- 2015 Thana -BIHTA
District- PATNA

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Rajeshwar Prasad Son of Late Shiv Prasad Resident of Village
- Neura, P.S.- Bihta, District – Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Adv.

For the Opposite Party/s: Mr. Parmanand Prasad (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 03.11.2015 Heard learned counsel for the Petitioner and the
State.

The Petitioner is apprehending his arrest in a case
registered under Sections 147, 148, 149, 488, 341, 323, 324,
307 and 379 of the Indian Penal Code.

Considering the genesis of the occurrence and the
counter-version of the same as also the fair antecedents of the
Petitioner, let him 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 the order on
furnishing bail bond of Rs. 5,000/- (Five Thousand) with two
sureties of the like amount each or any other surety as fixed
by the Court to the satisfaction of Additional Chief Judicial
Magistrate, Danapur, Bihta, Patna in connection with Bihta
P.S. Case No. 398 of 2015 subject to the conditions as laid

down under Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:- (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.

Vikash/-

(Anjana Prakash, J.)

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