

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21577 of 2014

Arising Out of PS.Case No. -104 Year- 2011 Thana -POTHIYA District- KISANGANJ

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1. Aslam, son of Late Kabil, resident of Udgara, P.S. - Pothiya, District - Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate

For the Opposite Party/s : Mr. M.Rab, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

6/ 22-01-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in a case instituted for the offence under Section(s) 395 Indian Penal Code.

Considering that the Petitioner's name transpired in the confessional statement of the co-accused and he undertakes to be physically present on each date of trial, let the Petitioner, above named, be released on bail on furnishing bail bond of ₹5,000/- (Five Thousand) with two sureties of the like amount each or any other surety to be fixed by the Court below to the satisfaction of the Additional Sessions Judge, Kishanganj, in connection with Sessions Trial No.241 of 2014 arising out of Pothiya P.S. Case No.104 of 2011, subject to the 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 and another bailor shall be Md. Balister, uncle of the Petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner,

- (ii) 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 bail on the ground of misuse,
- (iii) That the petitioner shall be physically present on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

The Trial Court is directed to send a list of the witnesses fixing specific dates for their examination along with a copy of this order to the concerned Superintendent of Police, who is directed to ensure the attendance of the witnesses on the date fixed so that there is no further delay in the trial.

(Anjana Prakash, J)

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