

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24936 of 2014

Arising Out of PS.Case No. -10 Year- 2011 Thana -CHUTIA SAHAYAK District- SASARAM
(ROHTAS)

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1. Nirala Yadav @ Raja Ram Yadav, son of Sita Yadav, resident of
Village Banbishunpur, Police Station- Dhibara, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Satyavrat Verma, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

8/ 29-01-2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for the
offence under Section(s) 147, 148, 149, 379, 436, 427 and 120-B
Indian Penal Code, Section 3, 4 of the Explosive Substance Act
and Section 27 of the Arms Act.

Considering that the Petitioner was subsequently
named during investigation and 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
Sub-Divisional Judicial Magistrate, Dehri, Sasaram, in connection
with Chutiya P.S. Case No.10 of 2011, subject to the conditions:

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- (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 Manoj Yadav, cousin brother 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 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, and
 - (iv) 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.

In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Rohtas, within fifteen days of his release with a copy of

this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

The Trial Court is directed to expedite the trial for which reason the Trial Court shall 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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