

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 32266 of 2014

Arising out of P.S. Case No. -63 Year- 2013 Thana -DARAUNDHA
District- SIWAN

Vijay Shankar Pandey Son of Awadhesh Pandey Resident of village-
Jalalpur, Police Station- Darounda, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr. Akbar Ali (APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

03. 19.01.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for the
offences under Sections 302 and 201/34 of the Indian Penal
Code.

It has been submitted that even though charges were
framed in the year 2013 till date only one witness has been
examined.

Considering that apart from confessional statement
of the Petitioner and co-accused there is no direct material
against the Petitioner 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 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 Special
Judge, Siwan in connection with S.Tr. No. 412 of 2013 arising
out of Darounda P.S. Case No. 63 of 2013 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 and the other bailor shall be the father of 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 be physically present on each date of trial and if he fails to do so on two consecutive dates without reasonable cause, his bail shall stand automatically cancelled.

The Trial Court is directed to expedite the trial and for which reason it shall send a list of the witnesses **fixing specific dates** for production of the witnesses along with a copy of this order, to the Superintendent of Police, Siwan, and the Superintendent of Police, Siwan is directed to ensure production of the witnesses on the date so fixed by the Trial Court so that there is no further delay in trial.

(Anjana Prakash, J.)

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