

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36984 of 2014

Arising Out of PS.Case No. -114 Year- 2005 Thana -BOCHHA District- MUZAFFARPUR

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1. Subodh Mahto @ Subodh Patel, son of Mahendra Mahto @ Mahendra Patel, R/o village-Vajidpur Majhauri, P.S.-Bechahe, District-Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Manoj, Advocate

For the Opposite Party/s : Mr. R. B. Roy Raman, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

4/ 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) 364, 302, 201,120-B Indian Penal Code.

Considering that apart from the allegation of being last seen with the deceased there is no further material against the Petitioner, let him (Subodh Mahto @ Subodh Patel) 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 *Ad hoc* Additional Sessions Judge No.3, Muzaffarpur, in connection with Bochaha P.S. Case No.114 of 2005 giving rise to Sessions Trial No.186 of 2013, 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. 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 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.

In view of the antecedents of the petitioner, the petitioner is directed to appear before the Sr. Superintendent of Police, Muzaffarpur, within fifteen days of his release with a copy of this order and every two weeks thereafter for the next six 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.

JA/-

(Anjana Prakash, J)

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