

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42531 of 2014

Arising Out of PS.Case No. 62 Year- 2005 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

Subash Ram Son of Shivlocan Ram, Resident of Village - Binawa Nagar,
P.S. - Bhagwanpur, District- Kaimur at Bhabhua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 21-01-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 302/149 and some other allied offences of the Indian Penal Code, under Section 27 of the Arms Act as also under Section 17 of the Criminal Law Amendment Act.

Taking into consideration the fact that the petitioner is stated to be in judicial custody since 08.01.2007, his prayer for bail is allowed. The petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned Ad-hoc Additional Sessions Judge-III, Kaimur at Bhabua in connection with Bhagwanpur (Karamchat)P.S. Case No. 62 of 2005 giving rise to Sessions Trial No. 57/320 of 2007/2012, subject to the conditions that:

- (A) One of the bailors must be government servant or close family member of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,

- (B) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and
- (C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

However, the trial court is directed to expedite the trial of the petitioner.

(Birendra Prasad Verma, J)

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