

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43746 of 2014

Arising Out of PS.Case No. -82 Year- 2014 Thana -HASANPUR District- SAMASTIPUR

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Md. Hussain, Son of Late Sheikh Ashraf, Resident of Village- Mauzi, P.S.-
Hasanpur, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Advocate.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 04-02-2015

Heard learned counsel for the parties.

Having regard to the fact that the petitioner is facing prosecution for offence under section 302/34 of the Indian Penal Code and under Section 27 of the Arms Act and the only allegation against him is of being a order giver, this Court would, taking into consideration that he has got no criminal antecedent, direct the petitioner, namely, Md. Hussain, to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Rosera, District- Samastipur in connection with Hasanpur P.S. Case No. 82 of 2014, subject to the following condition:

- (i) That both of the bailors will be a close relative of the petitioner, who will undertake an affidavit giving

genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is 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 the 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.
- (iv) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

Sujit/-

(Mihir Kumar Jha, J)

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