

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43966 of 2014

Arising Out of PS.Case No. -100 Year- 2014 Thana -HAJIPUR District- VAISHALI(HAJIPUR)
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1. Ram Ishwar Rai son of Late Jugdeo Rai Resident of village- Jadhua
Pokhar, P.S.- Hajipur Town, District- Vaishali

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Mukesh Kumar
For the Opposite Party/s : Mr. Manish Kumar-Ii(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3 27-01-2015 The case has been listed out of turn hearing on a

Supplementary affidavit, having been filed by learned counsel for
the petitioner that his mother has died on 19th January, 2015 and
her last rites are to be held.

Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in a case instituted for the
offence under Sections 147, 148, 149, 341, 323, 324, 307, 379 of
the Indian Penal Code and Section 27 of the Arms Act. Later on
under Section 302 of the Indian Penal Code was added.

Considering that there is no allegation of assault
against the petitioner and there is no other earlier case of such a
nature, let the petitioner Ram Ishwar Rai, 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 to be fixed by

the Court below to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 100 of 2014 subject to the conditions (i) That one of the bailors will be 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 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 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 the cancellation of bail on the ground of misuse, iv) 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 v) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Anjana Prakash, J)

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