

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 49168 of 2014

Arising out of P.S. Case No. -44 Year- 2007 Thana -
DARAUNDA District- SIWAN

Sanjay Prasad S/o Satrughna Prasad Resident of Village -
Bagourra, P.S.- Darounda, District - Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Singh, Adv.

For the Opposite Party/s : Mr. Abhay Kr. Roy (APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

03. 03.03.2015

Heard learned counsel for the Petitioner,
Informant and the State.

The Petitioner seeks bail in a case instituted for
the offences under Sections 147, 341, 323, 324, 307, 504
and 379 of the Indian Penal Code.

Considering that the Petitioner kept absconding
for a number of years even while the co-accused were put
on trial and convicted, I am not inclined to grant bail to
him for the present. The prayer for bail is rejected.

However, in the nature of allegations, let the
Petitioner, above named be released on bail **after framing
of charge** 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 Chief Judicial Magistrate, Siwan in connection with

Darounda P.S. Case No. 44 of 2007 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. 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 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. (v) 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.

Vikash/-

(Anjana Prakash, J.)

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