

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12779 of 2015

Arising Out of PS.Case No. -31 Year- 2014 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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Ram Pervesh Prasad Son of Late Kuldeep Yadav, resident of village -
Beldhana, P.S. Chandi, District - Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S.D.Yadav, Advocate

For the Opposite Party/s : Mr. Md.Sufiyan, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 27-05-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Section 307/34 and some other allied offences of the Indian Penal Code.

Though the petitioner, besides five others, is named in the first information report vide Annexure-1 as an accused, but taking into consideration the fact that the allegations against all of them are general and omnibus in nature and further taking into consideration the fact that the petitioner is said to be in judicial custody since 27.09.2014 and also taking into consideration the fact that he is said to be the first offender, his prayer for bail is allowed. The above named petitioner is ordered to be released on bail on furnishing bail bond of Rs.25,000/-(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda in connection with Chandi P.S.Case No. 31 of 2014, subject to the following conditions:

(A) one of the bailors must be a government

servant or a close family member or a close relation 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 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 bond of the petitioner.

(Birendra Prasad Verma, J)

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