

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 49193 of 2014

Arising out of P.S. Case No. -177 Year- 2014 Thana -ROSERA
District- SAMASTIPUR

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Radhe Shayam Mahto Son of Shiv Narayan Mahto Resident of
Village - Mirjapur Jarho, P.S. - Rosera, District – Samstipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Jha, Adv.

For the Opposite Party/s : Mr. Binod Kumar No. 3 (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 04.03.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for
the offences under Sections 457, 380 and 511 of the
Indian Penal Code.

Considering the nature of allegations and the fair
antecedents of the Petitioner as also that the Petitioner is
in custody since 18.06.2014, let him 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 as fixed by the Court to the satisfaction of
Additional Chief Judicial Magistrate, Samastipur in
connection with Rosera P.S. Case No. 177 of 2014 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 and the other bailor shall be the brother of the Petitioner namely Ram Jivan Kumar. 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.

(Anjana Prakash, J.)

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