

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15259 of 2015

Arising Out of PS.Case No. -247 Year- 2013 Thana -ROSERA District- SAMASTIPUR

=====

Hemant Kumar Son of Sita Ram Yadav, Resident of village- Dhatha, P.S.-
Rosera, District- Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Suraj Narain Pd. Sinha, Sr. Adv.
Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Anuj Kr.Srivastav, APP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 28-05-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Section 364A/34 of the Indian Penal Code.

Taking into consideration the fact that the petitioner is not named in the F.I.R., vide Annexure-1, as an accused and further taking into consideration the fact that though the petitioner is in judicial custody since 12.05.2014, yet he has not been put on T.I. Parade though admittedly the victim was recovered on the very next day of alleged occurrence and further taking into consideration the fact that the petitioner is said to be the first offender, his prayer for bail is allowed. The petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Rosera, District Samastipur in connection with Rosera P.S. Case No. 247 of 2013 subject to the conditions that:

- (A) One of the bailors shall be a government servant,
- (B) Other bailor shall be family member or close relation of the petitioner,

- (C) 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 the 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
- (D) 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 bonds of the petitioner.

(Birendra Prasad Verma, J)

BTiwary/-

U		T	
---	--	---	--