

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11794 of 2015

Arising Out of PS.Case No. -10 Year- 2014 Thana -TEKARI District- GAYA

Rakesh Singh son of Shri Nandlal Singh, resident of village-Gaharpur,
Police Station-Tekari, District-Gaya (Bihar) Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh (A. P.P.)

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 15-04-2015

Heard learned counsel for the Petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Sections 272, 273 and 290 of the Indian Penal Code and Section 2 (v)/3/5/16 Bihar State Mahua Flower Act, 2006 and Section 47 (A) of the Excise Act.

The petitioner was refused bail by this Hon'ble Court vide order dated 24.09.2014 in Cr. Misc. No. 35246 of 2014 since he was an accused in one other case of similar nature. The petitioner has been in custody since 08.07.2014.

Considering such aspect of the matter, let the above named, petitioner be released on bail on furnishing bail bond of Rs. 5000/- (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 Sri Kumar Gunjan, Judicial Magistrate, 1st Class, Gaya in connection with Tekari P.S. Case No. 10 of 2014, subject

to the conditions:

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- (i) That one of the bailors will be a brother 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 bailors shall also state on affidavit that they will inform the court concerned if the petitioner is implicated in any other case of similar in 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.
 - (iii) 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

(iv) 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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